

KASHMIR FUMBLE?**CIA Questioned
On India Policy**By HENRY S. BRADSHER
Star Staff Writer

HONG KONG—Recent revelations about Central Intelligence Agency estimates on the India-Pakistan war raise curious questions.

How balanced are the sources of the CIA's information in a place like New Delhi? In other words, how vulnerable is the agency to one-sided rumors?

Some of the CIA estimates contained in the Anderson papers disclosed in Washington amount to rumors circulating in the Indian capital at the beginning of the war last month. They were rumors that well-informed Indian sources flatly denied at the time—and their denials seem to have been borne out by developments.

The CIA thought India was going to make an all-out attempt to smash the military power of West Pakistan and capture the Pakistani-held part of disputed Kashmir state, according to the Anderson papers. This was reported as an Indian goal after capturing East Pakistan, which is now Bangladesh.

Helms Quoted

Richard Helms, CIA director, is quoted as telling a Dec. 8 meeting of Washington's special action group on the India-Pakistan war:

"It is reported that prior to terminating the present hostilities. Mrs. (Indira) Gandhi (Indian Prime Minister) intends to attempt to eliminate Pakistan's armor and air force capabilities."

Helms and Dr. Henry A. Kissinger, President Nixon's national security adviser, thought India intended to seize the rest of Kashmir, the Himalayan state which India claims but Pakistan has held part of for a quarter-century.

The U.S. government's "tilt" toward Pakistan apparently was based on these assumptions of Indian intentions to try to smash West Pakistan into "an impotent state," as Kissinger put it.

But were those ever really the serious intentions of the people who controlled policy in New Delhi, rather than being simply the dream of some Indian hawks who made the policy?

Interpretation**Report Cited**

This correspondent reported from New Delhi Dec. 9, and The Star published Dec. 10, that "the best available indications are that India will want to bring the war to a speedy end once Bangladesh is cleared" of Pakistani troops.

The dispatch went on: "Indian military commanders have been itching for a chance to smash Pakistani tank and warplane strength in the West with major battles which they are confident of winning. But political control of the situation, heavily influenced by the Soviets, is against provoking big battles."

There was considerable Soviet pressure on India to hurry up and capture East Pakistan and then end the war. Both Moscow and New Delhi envisaged the capture "and then cease-fire on the Western front," that dispatch said.

India declared the cease-fire the day after Dacca fell.

The dispatch, and several others that repeated the same points as background to developments, was based on high-ranking informants in both the Indian government and Soviet mission in New Delhi.

What they said would happen is what happened, contrary to the Helms-Kissinger expectations. The question is what sort of sources the CIA was using.

Embassy Locked

One correspondent, even one with the kind of contacts built up by five years of reporting from New Delhi and almost as long from Moscow, cannot compete with the CIA's extensive system of sources for information. That other political section in the U.S. Embassy in New Delhi, with its doors locked, as distinct

from the political section with an open-door policy—picks up all sorts of information.

Maybe the problem is evaluation. If the CIA hears Indian generals talking about smashing Pakistani military power, maybe it believes them rather than believing those quieter civilians who hold them back.

The armed forces in India never have been able to do as they pleased regardless of civilian politicians, unlike a number of other undeveloped countries and overdeveloped generals with which the CIA is a lot more familiar. And Mrs. Gandhi is not the personality to let her armed forces start such impudence, as anyone who has been in India long should know.

Weather Problems

As for India's trying to take Pakistani territory problems of winter weather and the logistical situation of the Indian army were involved.

Perhaps Helms and Kissinger had noted the Indian statement that India would no longer respect the old United Nations cease-fire line dividing Kashmir and they had made the heretic jump of logic—or, considering the geography, winter and logistics, illogic—to conclude that India wanted to capture everything beyond the line.

But in fact, as reported from New Delhi, India's ambitions were limited to clearing out some Pakistani army outposts that endangered Indian communications.

The U.S. government has argued that its estimate was right and that only its efforts prevented the larger war which it foresaw. Thus, the dispatch of a naval task force built around the nuclear powered aircraft carrier Enterprise to the Bay of Bengal has been claimed in Washington to have had the effect of limiting India's war aims. And American influence in Moscow got the Soviets to restrain India according to claims.

Perhaps this will have to be marked down in the doubtful column on U.S. policy influence and results. Perhaps Washington more influential in limiting the South Asian war than it has been in New Delhi.

The Washington Merry-Go-Round**Protesters Leak Their Own Secrets****By Jack Anderson**

The planners in the White House basement, who howled in pain over our disclosure of their India-Pakistan secrets, have slipped fragments from the same secret documents to their friends in the press.

This illustrates how the White House uses official secrecy to control the flow of news to the public. Favorable facts are leaked out; unfavorable news is suppressed.

The official leakers are now spreading the word that President Nixon's pro-Pakistan policy was not the disaster it appeared but really saved West Pakistan from dismemberment.

As evidence, the boys in the basement leaked a few selective secrets to our column-writing colleague, Joseph Alsop, who has excellent contacts at the highest levels of government.

Alsop stated "on positive authority" that the U.S. government had "conclusive proof" of India's intention to crush the main body of the Pakistan army in West Pakistan. This positive proof, he wrote, was "the centerpiece of every one of the CIA's daily reports to the White House during the crisis period."

We have read the CIA's daily reports to the White House during the India-Pakistan war. They are stamped "Top Secret Umbra," a designation reserved for the darkest of the CIA's secrets.

Alsop's 'Proof'

Alsop told us he never read the CIA reports himself. He had no way of knowing, therefore, that his sources gave him only part of the story.

These CIA digests, true enough, raised the possibility of an Indian attempt to crush West Pakistan. But the same digests also suggested India would accept an early cease-fire.

Here is a typical excerpt: "There have been reports that (Indian Prime Minister) Gandhi would accept a cease-fire and international mediation as soon as East Bengal had been liberated . . . On the other hand, we have had several recent reports that India now intends not only to liberate East Bengal but also to straighten its borders in Kashmir and to destroy West Pakistan's air and armored forces."

The strongest CIA warning was sent to the White House on December 10. "According to a source who has access to information on activities in Prime Minister Gandhi's office," declared the report, "as soon as the situation in East Pakistan is settled, Indian forces will launch a major offensive against West Pakistan."

But the CIA also took note of repeated Indian assurances to American Ambassador Ken

Keating that India has no territorial ambitions and wished only to end the conflict with the least possible bloodshed.

Dubious 'Proof'

It is clear from the secret documents in our possession that the CIA had no "conclusive proof" of an Indian plan to dismember West Pakistan. The CIA had received a number of reports that a major Indian offensive might be imminent on the western front. But these were discounted by both the State and Defense Departments.

Only Henry Kissinger, the President's foreign policy czar, seemed eager to believe the worst.

Alsop's sources also told him that President Nixon intervened with the Kremlin, threatening "an ugly showdown," to stop Mrs. Gandhi's army from carving up West Pakistan.

In response, Alsop claims that the Kremlin hurriedly dispatched Deputy Foreign Minister Vasily Kuznestsov to New Delhi on December 12 to tell Mrs. Gandhi not to attack West Pakistan.

The secret CIA report on his mission, however, doesn't mention any ultimatum against attacking West Pakistan.

"Vasily Kuznestsov arrived in India on 12 December to discuss the political recognition of Bangladesh by the So-

viet Union . . .," according to the CIA. "Kuznestsov has told Indian officials that the Soviet Union is not prepared to recognize Bangladesh until Dacca falls and until the Indian army successfully liberates Bangladesh from Pakistani forces."

The question of an Indian offensive against West Pakistan was brought up the next day by Soviet Ambassador Nikolai Pegov. Reported the CIA:

"Pegov pointed out that India has achieved a marvelous military victory. Pakistan is no longer a military force, and it is therefore unnecessary for India to launch an offensive into West Pakistan to crush a military machine that no longer exists.

"If India should decide to take Kashmir, Pegov added, the Soviet Union would not interfere, but India would have to accomplish this objective within the shortest possible time."

Joseph Alsop is an enterprising and conscientious columnist. He acknowledged to us that "it is possible to be lied to on the very highest level." But he assured us his source had "never lied before."

The evidence in our possession, however, suggests that the White House is playing peekaboo with CIA secrets to distort the truth.

Bell-McClure Syndicate

Close In on Secret Papers Leak

BY WILLARD EDWARDS

[Chicago Tribune Press Service]

WASHINGTON, Jan. 15—The Federal Bureau of Investigation has reportedly narrowed an original field of about 200 suspects down to a few individuals in its pursuit of the federal official responsible for leaking secret documents dealing with the India-Pakistan crisis to columnist Jack Anderson.

One highly placed staff aide, in particular, is under suspicion. His identification, if and when it comes, should serve to dispel some of the wide-ranging speculation published about this incident.

But in the strange world of the capital, where political maneuvers command more attention than illegal acts, the "why" of the leak to Anderson has provoked more concern than the "who" and the "how."

Second Thoughts Begin

The first instinctive reaction here of many was almost unanimous: "Someone in government must surely hate Henry Kissinger!"

But, after a few days, second thoughts have begun to spread about the motive inspiring this massive disclosure of the intimate details of National Security Council meetings properly labeled "secret-sensitive."

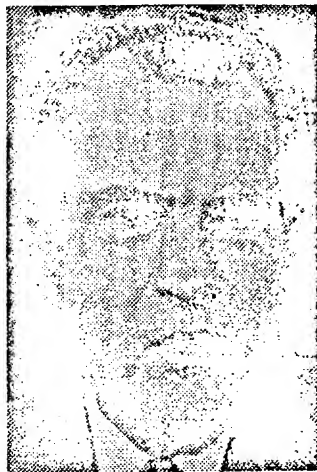
Under examination, the "get-Kissinger" theory began to lose substance. A higher target—President Nixon himself—became visible.

Inconsistencies Seen

Kissinger, chief assistant to the President in national security affairs, was initially thought to be the intended victim because he was quoted extensively in the minutes of the council meetings.

A comparison of Kissinger's statements in a "background briefing," later made public, and his private remarks to the council, as revealed in the leaked documents, revealed what may mildly be described as inconsistencies. Therefore, a number of commentators opined, the leak was designed to impugn his integrity and thus "destroy" him.

When a more careful study of all the documents was made, and their import as-



President Nixon

sessed, it became evident that Kissinger was always President Nixon's spokesman, relaying his impatience and his demands for an anti-Indian "tilt."

The President, Kissinger reported on one occasion, presumably in a voice dripping with sarcasm, was under the "illusion" that he was directing foreign policy. He was giving Kissinger "hell."

The minutes did not even make clear that Kissinger agreed with the President in taking Pakistan's side against India. But he was faithful in emphasizing Nixon's position.

Nixon Is Target

Thus, if there was a target in the unauthorized disclosure, it was the President, not Kissinger. Sen. Edmund S. Muskie [Me.], leading contender for the Democratic Presidential nomination, was quick to sense the political value of the leaked documents. In several recent speeches, he hammered their revelations of how the administration handled the India-Pakistan crisis. He called them evidence of "duplicity" by Nixon and demanded that the country decide whether it wanted "government in secret or government in the sunshine."

For every political enemy Kissinger may have made in comparatively brief Washington career, politicians agreed, Nixon has 10 foes in government. The State Department and other federal departments are crowded with holdover



Henry Kissinger

Democrats zealous to see the President defeated in November.

The verdict was unanimous that there was nothing particularly new or startling in the so-called Anderson papers. But they made good reading. There were many pungent quotes and the reporting of private conversations, never intended for publication, gave the public a delightful sense of eavesdropping.

Tries No Concealment

One novel theory, based on speculation like all the others, has been advanced in the search to establish a motive for the deliberate and calculated disclosure of secret data to a newspaper columnist.

It was provided by a man of unquestioned authority in the intelligence field.

He noted that Anderson, a veteran specialist in publishing private papers of every variety, did not in this case, as often in the past, make any attempt to conceal the secret classification of the papers, the officials to whom they were distributed, or their exact wording.

He made no attempt, for example, to paraphrase their contents, a practice often followed to handicap investigation of the sources from which secret papers are obtained. He has been busy appearing on television programs, displaying the documents which he is not authorized to possess, and has

been boldly challenging in his statements.

Anderson, in the opinion of this expert, seems to be inviting prosecution and he suggested an explanation offering delight to lovers of Machiavellian intrigue.

Anderson was given the papers, he submitted, after pledging that he would not seek to avoid indictment and trial for "conversion to private use of government documents."

Linked to Ellsberg

This is the same charge leveled in a West Coast indictment of Daniel Ellsberg, a former Pentagon aide, who confessed that he leaked the Pentagon Papers to newspapers.

Anderson, it was suggested, has a good chance of beating this charge in the District of Columbia federal courts where, it is well known in the legal world, "liberal" jurists dominate the judicial philosophy. Thus, a precedent could be set by similar leniency in Ellsberg's later trial.

There is this much to support such an admitted venture into surmise: Powerful groups in government and the journalistic world are determined to protect Ellsberg from the consequences of his confessed violation of the laws regulating classified information.

A forgotten footlocker

The Game of the Foxes

The Untold Story of German Espionage In the United States and Great Britain during World War II.

By Ladislav Farago.

McKay. 696 pp. \$11.95

Reviewed by RICHARD HANSER

We are never told the name of a Politburo member whose urine sample was stolen from a noted Viennese urologist...

It does seem a little late in the day—doesn't it?—for the international spy to be dusted off and taken out for another literary airing. With his codes and covers, and his devilish stratagems for stealing the plans to the fortifications, he may not yet be quite one with Nineveh and Tyre, but he's getting there. Today he seems so quaintly and dimly World War II-ish that he takes his place with the intrepid commando, the gung-ho Marine, and Rosie the Riveter—all cherishable elements of our folklore in their time but now grown a touch fusty, somewhat stale around the edges. The fictional 007 having long since become a widescreen joke, it is a little hard to take US/7-362, his honest-to-god counterpart, very seriously.

Ladislav Farago does, though, and in no less than 696 pages of unrelenting prose. Your average writer can lead a long, productive life without once using the word "spy-master," but Farago uses it four times on one page, and three of the four times in the same sentence. His book is trumpeted on the cover as "more exciting than any spy thriller," which is a little puzzling, since the book in-

Richard Hanser is the author of Putsch! How Hitler Made Revolution.

dubitably is a spy thriller. Its area is German espionage in America and Britain during WW II, a field in which Farago is thoroughly grounded. This is his sixth or seventh book on spying, and he has had some rather special experience at first hand in that curious endeavor. Though a naturalized citizen, and a native of a country with which we were at war, he rose high in U.S. Naval Intelligence, an exploit that not just every immigrant who comes through customs could duplicate. (It is perhaps not necessary to explain that Farago comes from Hungary. Hungarians, as we know, have a knack.)

The Game of Foxes tells how agents of the *Abwehr*, the German Intelligence Service, pulled off such dazzling feats of cloaking and daggering as swiping the Norden bomb sight, trickling spies into sensitive spots in Washington and London, tapping the Roosevelt-Churchill hot line, and the like. We learn much of secret rendezvous

(here called *Treffs*) between agents, and pilfered documents, and sensational reports relayed to a "Nest" in Hamburg known as "Axt X." Before we are through we are well steeped in what Farago himself calls "the hoary melodrama of espionage and its bizarre rituals." Everything is scrupulously, not to say laboriously, documented, down to the last street number, date, and middle initial. (Well, perhaps not everything. We are never told the name of the Politburo member whose urine sample was stolen by the CIA from the laboratory of "a noted Viennese urologist.")

At the end, though, one wonders whether the game of foxes has been worth the candle. Despite the successes of Nazi espionage—sometimes detailed here with what can only be called misplaced enthusiasm—nothing really decisive was accomplished. The theft of the Norden bomb-sight did not win the air war for Germany. Stealing secrets of Allied shipping and troop movements did not prevent our troops and supplies from getting there, and in overwhelming quantities. Eavesdropping on Roosevelt and Churchill, if it actually occurred, did not save Hitler and Goering and Goebbels from dying like dogs in utter defeat. As the Bible itself says, the little foxes spoil the vines. They do not bring down the house.

Farago's book is the outgrowth of a find he made "in a dark loft of the National Archives in Washington, D.C." The find was a forgotten footlocker which turned out to contain microfilm documents on the internal workings of the *Abwehr* under its enigmatic chief, Admiral Canaris. Farago has based his story on what he calls "the incontrovertible evidence of the [*Abwehr's*] own papers."

An agency's own papers are seldom incontrovertible evidence of anything but the agency's natural desire to make itself look good. From other sources it is possible to get a quite different picture of the *Abwehr*. Others have seen it as a monumentally fouled-up operation, inefficiently run by Canaris (who may have been pouring sand in his own gas tank) and caught in an insane tangle of rivalries with other Nazi intelligence agencies, of which there was a mushroom-like proliferation in the Third Reich.

There is, to be sure, a certain fascination in getting this unexpected peek into all those *Streng Geheim!* papers from that forgotten footlocker, but the fun is a good deal diminished by the circumstance that the *Abwehr*, like Germany itself, was a loser. How much thrill can there be in kibitzing a poker hand, be it held ever so close to the vest, when somebody else wins the pot? It is a little like being made privy to the football play book of 1971 Buffalo Bills. □

Secret Papers: Mrs. Gandhi

Said She Had Kremlin Pledge

Washington, Jan. 14 (Special)—Columnist Jack Anderson released today the text of a summary of another White House meeting on the India-Pakistan war. In it, a senior administration official was quoted as attributing to Prime Minister Indira Gandhi a statement that the Soviet Union had promised to take "appropriate counteraction" if China intervened in the war.

The summary of the Dec. 8 meeting of key administration officials includes the widely quoted remarks by presidential adviser Henry A. Kissinger that President Nixon "does not want to be even-handed" in his position on the war because he "believes that India is the attacker."

Stamped "Secret"

The summary was one of four that Anderson obtained and used as a basis for his columns earlier this month detailing the administration's attempt to cope with the India-Pakistan crisis.

The documents received by Anderson were stamped "secret sensitive." Anderson published his stories on the premise of the public's right to know.

Kissinger charged that Anderson quoted him out of context. Anderson then made public the texts of the summaries of the meetings, which were conducted by the Washington Special Action Group of the National Security Council.

Attended by 20

Before today, Anderson released the texts of the group's meetings Dec. 3, Dec. 4 and Dec. 6.

The Dec. 8 meeting was attended by 20 representatives of such agencies as the CIA, Agency for International Development, Joint Chiefs of Staff, State Department and Defense Department, according to the summary.

Among the main speakers at the 70-minute meeting were Kissinger; CIA Director Richard M. Helms; David Packard, who resigned Dec. 14 as deputy secretary of defense; Assistant Secretary of State Joseph J. Sisco; U. Alexis Johnson, undersecretary of state, and Maurice Williams, deputy administrator of AID.

Seven-Page Summary

The India-Pakistan war broke out Dec. 3 and ended Dec. 17. Packard announced his resignation Dec. 11, three days after he attended the meeting.

The following are excerpts from the seven-page confidential summary that Anderson made public:

"Mr. Helms then stated that earlier he had omitted mentioning that Mme. Gandhi, when referring to China, expressed the hope that there would be no Chinese intervention in the West.



Jack Anderson
Releases another text

"She said that the Soviets had cautioned her that the Chinese might rattle the sword in Ladakh but that the Soviets have promise to take appropriate counteraction if this should occur.

Mr. Helms indicated that there was no Chinese buildup at this time, but, nevertheless, even without a buildup, they could make 'motions and rattle the sword.'"

(Ladakh, a remote part of Kashmir in India, juts between China's Sinkiang province and Tibet. The Chinese overran the area in 1951 and, without the Indians finding out about it for a year, built a road from Sinkiang to Tibet across Ladakh's Aksai Chin Plateau in an effort to protect its Tibetan supply line. The Chinese last made a show of force in Ladakh in November 1965.)

On the Kissinger remark, the text reads as follows:

"Dr. Kissinger said that we are not trying to be even-handed. There can be no doubt what the President wants. The President does not want to be even-handed.

"The President believes that India is the attacker. We are trying to get across the idea that India has jeopardized relations with the United States.

"Dr. Kissinger said that we cannot afford to ease India's state of mind. 'The lady' is cold-blooded and tough and will not turn into a Soviet satellite merely because of pique. We should not ease her mind. He invited anyone who objected to this approach to take his case to the President. Ambassador Kenneth Keating, he suggested, is offering enough reassurance on his own."

"Next Turn of Screw"

The summary also shows Kissinger's deep interest in U.S. aid to India and Pakistan. Pakistan's aid was cut off before the war; most of India's after it began. Having been assured that very little aid was getting through to India, "Dr. Kissinger inquired what the next turn of the screw might be."

At another point, when discussing the 1972 AID budget, "Dr. Kissinger stated that current orders are not to put anything into the budget for aid to India. It was not to be led that AID had put money in the budget for India only to have the 'wicked' White House take it out."

The document recorded Kissinger's interest in a suggestion that the U.S. might get military supplies to Pakistan by routing them through Jordan.

Question of F-104s

"Mr. Packard explained that we could not authorize the Jordanians to do anything that the USG (United States government) could not do," the document read. "If the USG could not give the F-104s (American F-104 jets) to Pakistan, we could not allow Jordan to do so.

"If a third country had material that the USG did not have, that was one thing, but we could not allow Jordan to transfer the 104s unless we make a finding that the Paks, themselves, were eligible to purchase them from us directly.

"Dr. Kissinger suggested that perhaps we never really analyzed what the real danger was when we were turning off the arms of Pakistan."

Pressures on Aides

The pressures on Nixon's advisers to come up with some basis for Nixon's apparent support for Pakistan was seen in the following exchange:

"Ambassador Johnson said that we must examine the possible effects that additional supplies for Pakistan might have. It could be that eight F-104s might not make any difference once the real war in the West starts. They could be considered only as a token. If, in fact, we were to move in West Pakistan we would be in a new ballgame.

"Ambassador Johnson said that one possibility would be our reply to Foreign Minister (Indian Foreign Minister Swaran) Singh, in which we could acknowledge the Indian pledge that they do not have territorial designs. He also stated we must also consider the fact that the Paks may themselves be trying to take Kashmir.

"After discussing various possible commitments to both Pakistan and India, Mr. Packard stated that the overriding consideration is the practical problem of either doing something effective or doing nothing.

"If you don't win, don't get involved.

"If we were to attempt something it would have to be with a certainty that it would affect the outcome. Let's not get in if we are going to lose. Find out some way to stay out."

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Hill Committees Met Secretly One-Third of Time in 1971

Congressional Quarterly

Congressional committee met in secret one-third of the time last year.

Congressional Quarterly's annual tabulation of committee sessions showed 36 per cent were held behind closed doors in 1971, the year a new law—aimed at opening meetings to the public—went into effect.

This marked a decrease from the 41 per cent closed committee sessions recorded in 1970, but matched the 36 per cent secrecy score for 1969.

Since 1953, when Congressional Quarterly began its annual tally, the highest secrecy score was 43 per cent in 1968. The record low was 30 per cent closed sessions in 1959.

The House, as usual, topped the Senate in the number of executive sessions. The public was barred from 41 per cent—1,131 out of 27,858 of its committee sessions. This was a decrease from the 48 per cent of 1970 but comparable to the 42 per cent recorded in 1969.

Senate committees had a secrecy score of 30 per cent—down from the 33 per cent of 1970 but up from the 28 per cent in 1969. It closed 580 of its 1,905 meetings.

Most noteworthy in 1971 was the opening of selected House Appropriations Committee hearings.

Although only eight per

cent of its sessions—36 out of a total of 455—were open, this was in contrast to the zero per cent recorded in the past.

The Legislative Reorganization Act of 1970—the first reform act in 24 years—was designed, in part, to open up committee proceedings to public scrutiny.

It stipulated that Senate committee business meetings are to be open, except for markup (when a committee re-

vises and decides on the final language of a bill) and voting sessions, or when the committee closes them by majority vote.

Ninety-seven per cent of those Senate committee meetings specifically designated in the Congressional Record as business sessions—organizing, markup, voting, briefing sessions—were closed to the public in 1971.

According to the reorganization act, House committee business meetings, are to be open, except when the committee closes them by majority vote.

Excluding the House Appropriations Committee, 79 per cent of the sessions listed as business were held behind closed doors. (House Appropriations subcommittee markup sessions are not reported to the Record.)

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NEW RULES URGED ON SECRET PAPERS

Security Agency Proposes a Presidential Order on Law

Special to The New York Times

WASHINGTON, Feb. 10—The National Security Council has proposed an Executive order tightening regulations governing the handling of classified information and suggested the possibility that the President might seek legislation to make it a crime for unauthorized persons to receive secret documents, a White House official said Thursday night.

The legislative suggestion, if accepted, would result in a proposal by the President of a tough new law similar to the British Official Secrets Act, which imposes stiff penalties on those who receive as well as on those who disclose classified information.

This was one of three alternatives suggested for the President in a draft proposal now being circulated among the Departments of State, Defense and Justice, the Central Intelligence Agency, and other governmental bodies, the White House official said.

Of the two others, the draft suggested that the President might seek revision of a section of the Federal Espionage Act to make it a crime to give classified information to any unauthorized person. The law now provides penalties for disclosure to "a foreign agent."

Other Possibility

The other possibility suggested was merely that present laws be left unchanged.

These were the only legislative suggestions in the draft proposals, which were offered in response to the President's demand for a study of the handling of classified material, made shortly after the publication of the Pentagon Papers, the Defense Department's secret study of the United States drift into the Vietnam War.

The other suggestions in the draft proposal applied primarily to the classification of Government documents, setting up regulations over how materials should be classified, the length of time certain documents could remain classified, and who would be allowed to receive them.

These, the draft proposal said, could be effected in a revision of the Executive order that now controls the handling of classified information.

The draft was being circulated to the various agencies for their comments.

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The Secrecy Dilemma

● **You can't run the Government if every important secret is going to be handed over to the press**

● **You can't run a free press if it is a crime to publish everything the Government stamps secret**

By **ARTHUR SCHLESINGER Jr.**

A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both.

—JAMES MADISON (to W. T. Barry, Aug. 4, 1822).

IT says in the 29th chapter of Deuteronomy, "The secret things belong unto the Lord our God." This has not been a view, however, wholly accepted by the American press. Last month, when Jack Anderson published classified documents showing how the Nixon Administration really felt about the Indo-Pakistani war, he observed an established tradition of journalism. At the same time he transgressed an established tradition of government. Here were the two solemn principles, disclosure and confidentiality, equally portentous and equally venerated, in sharp collision. The conflict of principles left many Americans, I would think, considerably baffled.

membered their intense displeasure over equivalent journalistic audacity when they were in power. Still, both Republicans and Democrats probably agree that you cannot run a government if every internal memorandum is promptly handed to the press. And

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both probably agree that you cannot run much of a press if it is a crime to publish anything stamped secret by the Government. The question is whether between these extremes it is possible to discern further guiding principles.

One principle surely is that the Government's case for a measure of secrecy is not altogether frivolous or self-serving. "The Federalist" is generally worth consulting on these matters; and its authors clearly specified

that "diplomacy shall proceed always frankly and in the public view" and called for "open covenants of peace, openly arrived at." Before World War I the French Assembly did not know the secret clauses of the Franco-Russian alliance; nor did the British Foreign Secretary inform even his own Cabinet of the military understandings between the British and French General Staffs. This is what Wilson hoped to abolish.

But, as he himself made clear at Versailles, he really meant by "diplomacy" not the processes but the results of negotiation. In practice he favored plenty of talk out of "the public view" but no concealment of results—i.e., open covenants secretly arrived at. As for the negotiating process, Jules Cambon, who was French Ambassador to Berlin before World War I and whom that acute student of diplomacy Harold Nicolson regarded as perhaps the best professional of the century, was only mildly exaggerating when he wrote, "The day secrecy is abolished, negotiation of any kind will become impossible." His recent trans-Atlantic shuttling suggests that Henry Kissinger would agree. Whether blowing the secrecy destroys his capability for future private negotiations is a problem that one hopes Mr. Kissinger has pondered.

A second field noted in "The Federalist" as requiring secrecy was that of intelligence: "There are cases where the most useful intelligence may be obtained, if the persons possessing it can be relieved from apprehensions of discovery." Contemplation of these two fields led "The Federalist" to conclude: "So often and so essentially have we heretofore suffered from the want of secrecy, that the Constitution would

The recent publication of secret documents has produced a collision between two equally venerated principles—disclosure and confidentiality

It should have given some too a sense of intellectual discomfiture. Republicans who denounced Anderson might have remembered their own delight when The Chicago Tribune printed secret defense plans of the Roosevelt Administration shortly before Pearl Harbor. Democrats who applauded Anderson might have re-

two fields where secrecy seemed to them essential. The first was diplomatic negotiation: "It seldom happens in the negotiation of treaties, of whatever nature, but that perfect secrecy and immediate dispatch are sometimes requisite." Woodrow Wilson, it is true, later appeared to repudiate this doctrine when he said

have been inexcusably defective, if no attention had been paid to those objects." In such terms "The Federalist" vindicated the right of the executive branch to conduct negotiations and, by inference, intelligence operations, without any immediate obligation to supply Congress or the people the detail of what it was doing.

So from the start the American Government has been into secrecy. War, of course, provided a third category of legitimate restriction. The National Archives tells us that such classifications as "secret," "confidential" and "private" can be traced back to the War of 1812. Military plans, movements and weaponry remain items that can be plausibly withheld from immediate publication. A fourth category includes information that might compromise foreign governments or leaders or American friends or agents in foreign lands. The case for withholding such information is obviously strong; as too is the case, in a fifth category, for withholding personal data given to the Government on the presumption that it will be kept confidential—tax returns, personnel investigations and the like. A sixth category includes official plans and decisions which, if prematurely disclosed, would lead to speculation in lands or commodities, preemptive buying, private enrichment and higher governmental costs. One doubts whether the most righteous opponent of official secrecy would seriously argue that Government must at once throw open its files in these six categories.

Yet no one can doubt either that a legitimate system of restriction has long since escalated into an extravagant and indefensible system of denial. The means by which this has been done is primarily the device of "security classification"—i.e., restricting access to public information on the grounds of national security. In 1962 the House Committee on Government Operations found there were "more than a million Government employees [permitted] to stamp permanent security designations on all kinds of documents," adding that few of them seemed to heed Secretary of Defense Robert McNamara's sensible injunction, "When in doubt, under-classify." The General Accounting Office estimates that the security system costs taxpayers from \$60- to \$80-million a year.

Testifying last summer before Congressman William Moorhead's Foreign Operations and Government Information Subcommittee, William G. Florence, a retired Pentagon security officer, portrayed the contemporary condition of the classification

system. The Pentagon's top security officer, he said, believed that the classification system should even extend to information in the public domain; and zealous security-stampers, particularly in the Navy, had been discovered classifying newspaper clippings. Florence estimated that the Pentagon files contained about 20 million classified documents and that "the disclosure of information in at least 99.5 per cent of those classified documents could not be prejudicial to the defense interests of the nation." He later changed this estimate to read that 1 to 5 per cent "must legitimately be guarded in the national interest," but this hardly affects the point. The classification system has plainly got hopelessly out of control.

And the reason for this is evident enough—it is that the only control over the system has been exercised by the executive branch itself. The legal basis for security classification was first provided by general orders of the War and Navy Departments; then by a 1940 executive order of President Roosevelt's, still confined to military intelligence; then by a 1951 executive order of President Truman's, extending the system to nonmilitary agencies and authorizing any executive department or agency to withhold information it considered "necessary in the interest of national security"; then in 1953 by President Eisenhower's executive order 10501—"The bible of security-stamping," Florence calls it. It was as a result of this order that the system got completely out of hand, for it provides no effective control over the classification of documents and no feasible method for their declassification once the sacred stamp has been placed on them.

Neither the Truman nor Eisenhower executive orders were based on specific statutory authority; but, as Eisenhower's Commission on Government Security argued in 1957: "In the absence of any law to the contrary, there is an adequate constitutional and statutory basis upon which to predicate the Presidential authority to issue Executive Order 10501." This very formulation implies, however, that Congress has the power to control the classification system should it wish to do so.

Since Congress has not wished to do so, the executive branch has had a free hand in dealing with classified information. Naturally this has made it vulnerable to its own worst instincts. "Every bureaucracy," Max Weber has written, "seeks to increase the superiority of the professionally informed by keeping their knowledge and their intentions secret. . . . The concept of the 'official

secret' is the specific invention of bureaucracy." If secrecy in some cases remains a necessity, it also can easily become the means by which Government dissembles its purposes, buries its mistakes, safeguards its reputation, manipulates its citizens, maximizes its power and corrupts itself.

The secrecy system, once out of control, offers temptations few governments have the fortitude to resist. I suppose there may be situations of dire emergency when governments have no alternative but to deceive the people. But uncontrolled secrecy makes it easy for lying to become routine. And, even short of lying, governments can hardly resist exploiting secrecy to their own advantage. There have been few greater frauds, for example, than the idea put over by the executive on Congress and public opinion that only those with access to classified information know enough to have a judgment on questions of foreign policy. Actually 99 per cent of the information necessary for intelligent political judgment is available to any careful reader of The New York Times. We would have been far better off in Vietnam during the Kennedy years had our Government confined itself to reading newspaper dispatches and never opened a Top Secret cable signed Harkins or Nolting. The myth of inside information—"if you only knew what we knew"—is essentially a trick to obstruct democratic control of foreign policy and defend the monopoly of the national security bureaucracy.

As Justice Potter Stewart has observed, a secrecy system constructed on present lines will inevitably be "manipulated by those intent on self-protection and self-promotion." It will also inevitably invite defiance. Indeed, given Congressional apathy, defiance remains about the only recourse when legitimate secrecy balloons into illegitimate secrecy and an administration runs the system in the interest not of the nation but of itself. So, as a corrective, aggrieved citizens through our history have felt themselves morally warranted in violating what they have seen as a system of secrecy laid down unilaterally by the executive branch for its own protection. In 1844 the Tyler Administration debated over the acquisition of Texas, tried to sneak a treaty

of annexation through the Senate in executive session. Senator Benjamin Tappan of Ohio, irate at this procedure, wrote his brother Lewis, the New York abolitionist: "Suppose I send you the Treaty & Correspondence, will you have it published in the Evening Post in such a way that it cannot be traced back?" Lewis Tappan, a little apprehensive, consulted with Albert Gallatin, who had served as Jefferson's Secretary of the Treasury and later as minister to Paris and to London. The elder statesman told him to go ahead. William Cullen Bryant published the treaty in an Evening Post extra, and Tyler's stratagem was defeated. Were the Tappans, Gallatin and Bryant to be condemned? Or, did Tyler's abuse of secrecy justify their action?

The answer might well be that the functioning of democracy requires some rough but rational balance between secrecy and disclosure, between official control of information and public need for it. When the Government upsets that balance by deceiving the public, lying to it or withholding information essential for informed debate and decision, a healthy democracy is likely to move, in one way or another, to re-establish the balance, whether through the agency of dissenting officials, indignant legislators or resourceful newspapermen. "Secrecy can be preserved," Justice Stewart has reminded us, "only when credibility is truly maintained."

THIS principle of re-establishing the balance is confessedly elusive. Anyone who acts on it is taking a chance. Only the aftermath can prove him right or wrong in deciding that government has violated its part of the contract. "The line of discrimination between cases may be difficult," as Jefferson wrote in a discussion of the question whether the violation of written law was ever justified; "but the good officer is bound to draw it at his own peril and throw himself on the justice of his country and the rectitude of his motives."

The Anderson case suggests the problem. Has the Nixon Administration really fulfilled its part of the contract? Has it maintained the credibility that Justice Stewart tells us is necessary to justify the pres-

ervation of secrecy? Has it given the nation the kind of information it needs if democratic control of the Government is not to become a fiction? Here is a President who last year held five formal press conferences, plus four last-minute chats with White House correspondents; who in the year before held four formal conferences and one at the last minute. Here is an executive branch which old Washington hands regard as the least open the country has seen for years. Then came the Indo-Pakistani war—with the President in an evident pet; with a valuable Assistant to the President for National Security Affairs saying in private "the President does not want to be even-handed," demanding in private that his colleagues "tilt" American power in favor of Pakistan, while telling the press, "There have been some comments that the Administration is anti-Indian. This is totally inaccurate" (and while the State Department, if that body matters any longer, was proclaiming in public a stance of "absolute neutrality"); and with a proven military dunderhead, still inexplicably blessed with great responsibility, wrong once again in his military forecasts. Here, above all, was an Administration dead against internal or external debate in the face of highly controversial decision.

Given this situation, what recourse was there? If the Anderson columns display the kind of Government we have, it is surely appropriate in a democracy that we know it; it is definitely not the function of a secrecy system to shield public officials from accountability for their tantrums, folly or mindlessness. Nor did the disclosure jeopardize ongoing negotiations or intelligence operations or military plans. Worst of all, by outlining the "tilt" policy only behind locked doors, the Nixon Administration deprived Congress and the electorate of the opportunity—one might say the right—to discuss President Nixon's pro-Pakistan program on its merits. This was the unpardonable sin; and some anonymous, disgusted and courageous bureaucrat, with the help of Jack Anderson, was trying to rectify the situation and to re-establish the balance.

What can be done to save the republic from the pres-

ential need for restoring the balance? Government has the right to preserve for a period both the confidentiality of its internal processes and the security of information in those categories where security is vital. It has manifestly abused that right. Writing in 1953, Harold Nicolson said, "I am confident that, in the Free World at least, the age of secret treaties is behind us." He was wildly optimistic; and it is ironic that secret covenants should have enjoyed so rich and rank a revival in Woodrow Wilson's native land. The contents of the so-called Hyde Park Aide-Memoire concerning the uses of atomic energy, signed by Roosevelt and Churchill at Hyde Park on Sept. 18, 1944, were not known in this country until published by the State Department in 1960. The Symington subcommittee in the Senate has unearthed a parade of secret agreements withheld from Congress and the people—Ethiopia in 1960, Laos in 1963, Thailand in 1964, South Korea in 1966, Thailand again in 1967, not to mention secret annexes to the Spanish Bases Agreement of 1953. Senator Clifford Case has now introduced a bill—or rather revived a bill the Senate passed in 1955—that would require the President to transmit all executive agreements to the foreign affairs committees of both houses. If the President deems an agreement too sensitive for publication, he can hand it over under the seal of secrecy; but he can no longer lock it up in his own office and tell no one.

IN addition to the control of secret agreements, we urgently need a rational and orderly system for the classification and declassification of official documents and for the withholding and release of nonclassified documents. The Nixon Administration has recently shown itself aware of the need for reform. In the wake of the Pentagon Papers, President Nixon asked Congress for \$636,000 to begin the declassification of World War II papers—a vast mountain of material, 160 million pages in 49,000 cubic feet of storage space. This was to have launched a declassification program that would have employed 110 persons for five years at a cost now set

thus far not provided the expected to do so this year.

The legislative hesitation may well be justified. The National Archives estimates that at least 95 per cent of the classified documents of World War II would be declassified as a result of this program.

Thus we would be spending at least \$6-million (in all likelihood the ultimate cost would be much greater) to identify that 5 per cent of World War II documents that must, it is supposed, be kept secret for a few years longer.

"Systematic declassification," William L. Langer has written, "is patently impossible: The records are so voluminous that it would take large teams of highly qualified personnel years to complete the assignment." Professor Langer is not only the leading American historian of European diplomacy; he also served as chief of the Research and Analysis Branch of the Office of Strategic Services, in an equivalent post in the Central Intelligence Agency and as a member of the President's Foreign Intelligence Advisory Board. His testimony cannot be dismissed as that of a naive scholar who has spent his life in the stacks and doesn't understand the realities of public affairs.

Document-by-document declassification will not do. An automatic declassification procedure was nominally instituted in 1961; but this system, however praiseworthy in intent, left so many exceptions as to become substantially meaningless. What we must have is a system which after a stated period (of which more later) automatically declassifies practically everything, including information on diplomatic negotiations and military planning. A longer period—probably a very much longer period—should apply to documents that describe intelligence operations, compromise foreign citizens or invade the privacy of American citizens, that is, the materials in categories two, four and five of legitimate restriction. (The allegation that declassification would expose our diplomatic and military codes is now a bogeyman. With the domination of cryptography by sophisticated computers, the old ciphers have been abandoned, and the new ones, David Kahn,

the author of "The Codebreakers," tells us, "are, in all practical senses, unbreakable.")

The schedule of automatic declassification should be accompanied by some form of appellate procedure. That is, if a department or agency feels that disclosure in a particular case would injure the nation, it should have an opportunity to claim exemption before an independent review board. But the burden of proof must always be on those who wish to lock the information up.

The executive has it within its power to establish such a system immediately on its own initiative. If it does not do so, then Congress must pass legislation defining the criteria for classification and declassification and providing for Congressional oversight of the results. If Congress is by any chance serious in its big talk about reclaiming lost powers, it ought to pass such legislation anyway. (One difficulty is that Congress's own record in making public its own papers and proceedings is far from inspiring.)

THE question remains how long the closed period should be. Practice abroad varies widely. Denis Mack Smith, the best English historian of Italy, has just published a book entitled "Victor Emanuel, Cavour and the Risorgimento" dealing with events in the period from 1840 to 1870. In conducting his research, he was denied access to the papers of Count Cavour and to the royal archives. Cavour died a solid 110 years ago; Victor Emanuel died 94 years ago. This would seem an excess of caution. In the Soviet Union, though the Bolsheviks threw open the Czarist files, they have clamped down hard on their own; a scholar doing research in Moscow runs the risk of being expelled as a spy.

But other nations are responding to the pressures for access. Until very recently the French required specific clearance for the use of official documents after 1871; in a burst of liberalism, the Archives Diplomatiques have now accepted a 30-year rule in principle. The British for a long time had a 50-year rule; Sir Alec Douglas-Home

as Prime Minister, once remarked that his inclination "would be rather to tighten up the 50-year rule than to relax it." But Harold Wilson's Labour Government, in one of its few visible achievements, reduced the closed period (except for Home Office papers and other records breaching personal privacy) to 30 years. The Heath Government has recently in one brilliant stroke opened the Cabinet records and other departmental papers for World War II — the period which the Nixon Administration would keep closed for five more years until its declassification teams slog through the snow-drifts of records, drift by drift.

MOREOVER, Mr. Justice Caulfield's historic decision in the recent prosecution of The London Sunday Telegraph and Jonathan Aitken for publishing a secret report about Bifra has greatly damaged the old Official Secrets Act; now the Government has appointed a Committee of Inquiry under Lord Franks to review the whole problem of Government secrecy. It should be added that in Sweden, as always an admirable country, almost all records, I understand, including very recent papers and excepting only royal documents of the King in council, can be examined by any citizen.

For most of its history, the United States has led the world in permitting access to official archives. That indispensable series, "Foreign Relations of the United States," began the publication of diplomatic dispatches in 1861. Until nearly the end of the 19th century, the new volume each year published official secrets of the year preceding, with no perceptible harm to national security. The 1870 volume ran a dispatch of that same year from George P. Marsh, the American Minister in Florence, in which he criticized the Italian Government for its "vacillation, tergiversation and duplicity." The dispatch was reprinted in an Italian newspaper on the very day that Marsh was dining with the Minister of Foreign Affairs. "Was Mr. Marsh handed his passport?" William M. Frankfurter, then Director of the State Department Historical Office has written.

to admit, the only result was that the Italians treated him better than ever. He continued happily and successfully in his Italian post until his death 12 years later." Perhaps candor is a more negotiable diplomatic commodity than those State Department officials understand who in recent years have tried to prevent the publication in "Foreign Relations" of dispatches 20 or more years old because they contain frank comment on men still active in the public life of their countries.

Partly for this reason and even more because budgetary allocations to the Historical Office have failed to keep pace with the swelling flood of documentation, the series has fallen behind even the 20-year rule it set for itself after the war. The year 1971, for example, saw the publication of volumes for 1946; and subsequent years will be even further delayed until the Nixon Administration decrees the release to the State Department of the National Security Council records of the Truman Administration. The situation is made worse by the fact that scholars are not permitted access to State Department files before the "Foreign Relations" volumes for the year have been released (and access is permitted only on a restricted basis for the several years preceding). Nevertheless "Foreign Relations" remains an impressive achievement. Most other nations committed to documentary series are still bogged down in the prewar period.

Concerned with the delays, President Kennedy wrote Secretary of State Dean Rusk on Sept. 6, 1961, "In my view, any official should have a clear and precise case involving the national interest before seeking to withhold from publication documents or papers 15 or more years old." If our Government had lived up to the Kennedy rule, historians would be much happier. Its failure to do so has contributed to the recent pressure for much more rapid disclosure. Other events, of course, have intensified the pressure, including the disclosures by Jack Anderson, Neil Sheehan, and Daniel Ellsberg. In addition, the knowledge that Government officials have kept more things classified than it has from the enemy. The North Vietnamese, the

papermen when they find leaking to their own or their department's advantage, or when they are trying to combat their own Government's policy, has increased outside skepticism about the sacrosanctity of the secrecy system. Undoubtedly the proliferation of memoirs in which former Presidents, diplomats and even Special Assistants to Presidents break the official deadline with impunity has also encouraged people to question the 20-year or even the 15-year rule.

Now we have the apparition of Dr. Edward Teller, who not too long ago was hounded by J. Robert Oppenheimer as a security risk, suddenly asking, "Can we and should we keep any secret for more than a year?" He evidently received this revelation as a member of a Task Force for Security set up by the Pentagon in 1970 under the chairmanship of Frederick Seitz, the physicist and former president of the National Academy of Sciences. The Task Force itself concluded more formally that it was unlikely "that classified information will remain secure for periods as long as five years and that it is more reasonable to assume its knowledge by others in periods as short as a year through independent discovery, clandestine disclosure or other means." It added: "Classification establishes barriers between nations, friendly as well as not, creates areas of uncertainty in the public mind on public issues and impedes the flow of useful information within our own country." The Task Force even reflected that "more might be gained than lost if our nation were to adopt, unilaterally if necessary, a policy of complete openness in all areas of information" but decided that, "in spite of the great advantages that might accrue from such a policy, it is not a practical proposal at the present time." Instead it recommended a 90 per cent decrease in the amount of scientific and technical information under classification.

THE idea of no secrets at all is an arresting one. It is perhaps true that our secrecy system has kept more things from the public than it has from the enemy. The North Vietnamese, the

Chinese and the Russians knew all about the C.I.A. war in Laos; only the American Congress and electorate were kept in the dark. It is also true that the secrecy system has been a fertile source of blunder and folly in foreign policy. Without secrecy, the British would not have got into Suez nor the Americans into the Bay of Pigs, nor would it have been so easy for successive administrations to deepen American involvement in Indo-China.

Moreover, the abolition of secrecy might well diminish international tensions by making it harder for one power to place the most sinister possible interpretation on the actions of another. Ignorance makes it easy to conclude the worst; but the worst may not always be the most accurate. We begin to see today that both America and Russia did things in the early Cold War that each government saw as modestly defensive in purpose and that the other government saw as intolerably aggressive and hostile. If a series of Pentagon Papers and Kremlin Papers, recording in Sheehan-Anderson detail what these two governments were actually saying and planning in their inner councils, had been published, say, in 1949, each side might have reconsidered its view that the other was fanatically bent on world conquest. Herbert Feis, after half a career in the State Department and the other half as a historian and therefore with intimate knowledge of both interests, recently and, I believe, correctly observed of the conventional objections to shortening the closed period, "Earlier publication of the American record would, on the whole, dispel suspicion and mistrust of our policies rather than nourish them."

But I guess that Dr. Seitz and his comrades are right. The abolition of official secrecy presupposes a different world. If rigorously carried out, it would make international negotiation difficult and personal privacy impossible. But it is an excess in a good direction; and the same kind of skepticism about secrecy has recently produced a number of more moderate schemes for a still drastic abbreviation of the closed period. Congressman Moorhead, whose instructive hearings have thrown more light on the

the secrecy system, recently proposed that any paper stamped Secret should become public in two years; Top Secret would take three years. He would also empower a Congressionally appointed commission to grant exceptions. Senator Muskie would set up an independent board authorized to transmit classified documents at any time to Congress and, when they are two years old, to make them public. George Ball, the former Under Secretary of State and an astute and experienced public servant, has advocated a five-year rule.

Yet such ideas raise problems — problems which the total abolition of secrecy would raise in even more acute form. It is important, for example, that disclosure not be so precipitate as to inhibit Government officials from making unorthodox suggestions. The McCarthy period had a dismal enough effect on the public service; think what that effect would have been if members of the Foreign Service knew that everything they put on paper or said at a meeting would be submitted to Roy Cohn in the next two or three years. It is also important that disclosure not be so rapid as to invite fishing expeditions by one political party in the files of its predecessor. And, from the viewpoint of the historian, it is urgently important that the system of disclosure not tend to dilute the research quality of documentary records. Herman Kahn—not the thermonuclear Herman Kahn, but the Herman Kahn now at Yale, whose services as head of the Franklin D. Roosevelt Library and later of the Presidential libraries system have benefited a generation of scholars—recently said, "My own conviction is that there has been a decline in the qualities of frankness and honesty in our records to a considerable degree because of the great pressure to make everything immediately available to historians and journalists who want to do historical writing about what happened yesterday, last month or last year." Too much eagerness on the part of historians for instant access may well defeat their own long-term interests.

THIS perhaps is one reason

with a view to amending the range of exceptions. Professor Langer suggests that confidential and secret documents be made available "to qualified scholars" after five or 10 years. James MacGregor Burns proposes eight to 10 years. My own vote would be for 10 years—i.e., two and a half Administrations—with some type of appellate procedure to permit extensions in categories two, four and five and other exceptional cases. I am strengthened in the belief that a decade would be about right by the remark of Winston Churchill in the House of Commons on May 15, 1930: "When we come to the question of how far these matters are affected by the lapse of time I would point out that it is nearly 10 years ago. That is a very long time." With the increase in the velocity of history, it is an even longer time 40 years later. Yet the Nixon Administration refuses to make a blanket declassification of World War II documents after 27 years!

If Congress declines to make a frontal attack on the secrecy system, it is still not without means of improving public access to official records. The Freedom of Information Act, passed in 1966 after a decade's labor and perseverance by Congressman John Moss of California, is based on the proposition that disclosure should be the rule, not the exception, and that, in Moss's words, "the burden should be on the agency to justify the withholding of a document and not [on] the person who requests it." The act further provides for judicial review when access is denied. However, the act also allows for nine categories of exception, the first of which is for matters "specifically required by executive order to be kept secret in the interest of the national defense or foreign policy." When Julius Epstein of the Hoover Institution on War, Peace and Revolution tested the statute in his laudable campaign to secure the release of the Operation Keelhaul documents—a file dealing with the forced repatriation of Soviet displaced persons after World War II—the courts rejected his plea. In practice, the Freedom of Information Act has simply not affected classified information. The Moorhead subcommittee

with a view to amending the range of exceptions.

Another means of legislative action lies in the narrowing of the use of "executive privilege" as a means by which the executive branch withholds information. Members of Congress ordinarily can obtain classified documents on request, at least when it serves the purpose of the executive branch. The effect of classification is usually less to deny secret information than to prevent public discussion and debate of such information (and also to make it harder to know what to request). Congress also on occasion may request unclassified material—internal memoranda, minutes of meetings and so on—that might reveal disagreements within the executive branch or expose bureaucrats advocating unpopular views to Congressional retaliation. Immediate Congressional or public access to the internal communications of the executive would undoubtedly end the full and frank exchange among Government officials on which wise policy depends. When Government wants to turn down Congressional requests for material, classified or unclassified, and if methods of bureaucratic attrition fail, it may threaten or invoke executive privilege.

Obviously executive privilege is essential to protect the inner workings of Government. Obviously also it is liable to grave abuse. A decade ago President Kennedy tried to end the practice by which lesser officials in the executive branch assumed this authority on their own cognizance. "Executive privilege," he wrote Representative Moss in 1962, "can be invoked only by the President and will not be used without specific Presidential approval." However, when President Nixon's Secretary of Defense cried executive privilege last summer as an excuse for not showing the Senate Foreign Relations Committee, even on a confidential basis, the Pentagon's five-year plan for military assistance, the sorely tried chairman, Senator Fulbright, responded by introducing legislation requiring the President to take personal responsibility for the use of executive privilege and to explain his reasons in detail. Senator Sam Ervin, as usual a mighty fortress, on such is-

continued

sues, held hearings on the Fulbright bill last autumn before his Subcommittee on the Separation of Powers.

THE problem is that the secrecy system has been unilaterally determined and controlled by a major party at interest—the executive branch of the Government. The result is that Government has been able to move rather easily from legitimate to illegitimate uses of secrecy. Harold Nicolson, we have seen, lost no opportunity to emphasize the essentiality of secrecy in negotiations. But he distinguished sharply between negotiation and policy and always added, with equal emphasis, that policy “should never be secret, in the sense that in no circumstances should the citizens of a free country be committed by their Government to treaties, engagements, promises or commitments, of which they have not had full knowledge,” which the press has not had full opportunity to publish and the legislature to debate and approve. “I feel it to be the duty of every citizen in a free country,” Nicolson declared, “to proclaim that he will not consider himself bound by any treaty entered into by the Administration behind his back.”

This was President Nixon's particular offense in the Indo-Pakistani affair—keeping his policy secret from the American people. But he was far from the first offender. Every President since the war has done much the same thing at one point or another. If governments were always wiser than citizens, such a course might be justified. But the theory of democracy is that they are not; and the practice of recent years generally verifies the theory. Illegitimate secrecy has corrupted our conduct of foreign affairs and deprived the people of the information necessary for the democratic control of foreign policy. So long as the executive branch persists in these abuses and so long as Congress remains unwilling to assert itself, the courage of the Andersons, Sheehans and Ellsbergs would seem to provide the only restraint and recourse if we are to get our democracy back into working equilibrium. However, with intelligence and courage, we can surely think up a better way. ■



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New Light on the Cuban Missile Crisis of 1962

By Chalmers M. Roberts

Former Hungarian Diplomat Here Reveals Some Intriguing Background

THE CUBAN missile crisis of 1962 never ceases to intrigue those who lived through it or had anything to do with it. And so two new works that add to the general knowledge are well worth reporting. One is a unique look at the crisis by a Communist diplomat then in Washington. The other is an analytical study by an associate professor at the Kennedy School of Government at Harvard.

Janos Radvanyi was the Hungarian chargé in Washington at the time (there was no ambassador), an affable fellow with whom I had much contact. On May 17, 1967, he defected, turning up later at Stanford where he wrote "Hungary and the Super Powers" to be published in May by the Hoover Institution. The book is largely about Hungarian-American relations. But one chapter on the missile crisis will have far wider interest. What follows is from it.

IN SEPTEMBER and October, 1962, Radvanyi reported home that the United States was overreacting to reports of Soviet activity in Cuba. He did so in part because Soviet diplomats here had told him the uproar was part of the American pre-election campaign. But one day he received a copy of a cable to Budapest from Hungarian Ambassador Janos Beck in Havana. Beck "made it a point to discount information he had received from the Chinese embassy in Havana as being provocatively anti-Soviet," Radvanyi writes. But "the Chinese ambassador had apparently told him that according to information he had received from private sources the Soviet Union was delivering surface-to-surface ballistic missiles to Cuba and that Soviet military advisers had come to Cuba not as instructors but as members of Soviet special rocket force units to operate these missiles."

Radvanyi goes on: "Ambassador Beck remarked that his Chinese friends had complained of Soviet unwillingness to disclose any details and had asked Beck whether he knew anything more about the whole affair. Beck argued that the story of the deployment of ground-to-ground missiles had been launched by 'American warmongers' and observed that neither the Soviet ambassador in Havana nor high-ranking Cuban officials had mentioned anything to him about the missile build-up."

This message apparently was sent in late July or early August. Soviet arms shipments were arriving at that time, though the first medium range missiles did not come until Sept. 8. On Aug. 22 CIA Director John McCone voiced to President Kennedy his suspicions that the Soviets were preparing to introduce offensive missiles, perhaps on the basis of information gathered in Cuba that month by French intelligence agent Philippe De Vesjoli. However, on Sept. 19 the United States Intelligence Board's estimate was that the Soviets would not introduce offensive missiles. Another story.

On Oct. 18 Radvanyi attended the first of three meetings with Soviet Ambassador Anatoly F. Dobrynin and the heads of all the Communist embassies in Washington. Dobrynin discussed the meeting the previous day between President Kennedy and Soviet Foreign Minister Andrei Gromyko. After dinner at the Czech embassy Dobrynin "assured his audience that recent reports of Soviet ground-to-ground missiles in Cuba were completely without foundation." As to the Kennedy-Gromyko meeting, "nothing extraordinary had happened"; the German situation had been discussed at length along with disarmament. At this point in his account, Radvanyi states that "it seems highly unlikely to me" that Gromyko had not been "privy to the Kremlin discussions" about the missiles but that "it is altogether possible that Dobrynin may not have been informed."

THE CRISIS became public with the President's Oct. 22 speech. Next day Dobrynin called the diplomats together again, explaining that the purpose was "to collect information and to solicit opinions on the Cuban situation." Dobrynin "characterized it as serious and offered two reasons for his concern. First of all, he foresaw a possible American attack on Cuba that would almost surely result in the death of some Soviet military personnel who had been sent to handle the sophisticated new weapons. Thus by implication the Soviet ambassador was admitting the presence in Cuba of Soviet medium-range missiles. Secondly, he feared that when Soviet ships reached the announced quarantine line a confrontation was inevitable." Dobrynin "explained that any defensive weapon could be labeled offensive as well and dismissed American concern ever a threat from Cuba. The Pearl Harbor attack, he suggested, might have been responsible for this unwarranted paranoia. Everybody agreed that the situation was serious and that the possibility of an American invasion of Cuba could not be discounted." Asked how Moscow intended to deal with the quarantine, "Dobrynin was forced again to reply that he simply had no information..."

On Oct. 23 at the Soviet embassy's military attaché party Dobrynin told Radvanyi "that the situation was even more confused and unstable..." But, as Radvanyi notes, the Soviet envoy did not disclose that before the party he had met with Attorney General Robert F. Kennedy in the third floor of the embassy. It was then that Robert Kennedy told Dobrynin the President knew he had been deceived by assurances from Dobrynin and others that no offensive missiles would be placed in Cuba, as detailed in Robert Kennedy's posthumously published "Thirteen Days."

nist diplomats on Oct. 26, this time at the Soviet embassy, they discussed Walter Lippmann's column of the previous day suggesting dismantling of American missiles in Turkey along with the Soviet missiles in Cuba. "The Soviet embassy," writes Radvanyi, "apparently considered the Lippmann article a trial balloon, launched by the U.S. administration to seek out a suitable solution. Dobrynin sought their (Communist diplomats') opinion as to whether they thought the Lippmann article should be regarded as an indirect suggestion on the part of the White House." Only the Romanian ambassador indicated he had some reason to think that it was just that; Lippmann, as far as I know, has never said whether the idea was simply his own. According to RFK's account, Adlai Stevenson on the 20th had suggested a swap involving withdrawal of American missiles from both Turkey and Italy and giving up the naval base at Guantanamo Bay in Cuba. The President rejected the proposal.

AT the meeting on the 26th Dobrynin said he still had no information on how Moscow would meet the quarantine. "I told him," writes Radvanyi, "that according to my information the American buildup for an invasion of Cuba was nearly completed and that American missile bases had aimed all their missiles toward targets on the island. Only a go-ahead signal from the President was needed. The Soviet ambassador concurred with my analysis, adding that the Soviet Union found itself in a difficult position in Cuba because its supply lines were too long and the American blockade could be very effective. (Czechoslovak ambassador) Ruzek remarked grimly that if the Americans invaded, it would definitely trigger a nuclear war. At this point I lost self-control and asked whether it was not the same to die from an American missile attack as from a Soviet one. Dobrynin attempted to assure me that the situation had not reached such proportions and that a solution would no doubt be found..."

"At the close of the meeting, any last remaining ray of hope I may have had for a peaceful solution was abruptly shattered. Dobrynin now announced that the Soviet embassy was this very moment burning its archives. Shocked at this news I inquired of Dobrynin whether he planned to evacuate the families of Soviet diplomatic personnel. Dobrynin replied in the negative.

"Back once again at the Hungarian legation I rushed off to Budapest a long summary of my latest meeting with Dobrynin, and informed the foreign ministry that Dobrynin had confirmed the information that the Americans were militarily prepared to invade Cuba. I emphasized that unless a quick political solution was found within the next

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continued

few days, the United States would be faced with the invasion and nothing short of a miracle could save the world from nuclear war.

"Within two hours I received a troubled inquiry from Budapest asking whether I could possibly be aware of the implications of my words. I insisted that I would take full responsibility for every word in my report."

On the 27th Soviet Premier Khrushchev offered to swap missiles in Cuba for missiles in Turkey but the next day he accepted the Kennedy demand for outright removal of both missiles and planes from Cuba.

Fidel Castro was outraged and Moscow sent Anastas Mikoyan to Cuba to reason with him. After three weeks there Mikoyan stopped in Washington en route home and Dobrynin invited the Communist diplomats to dinner with him on Nov. 30. Mikoyan explained how he had tried to win Castro's approval to the United Nations inspection of the missile dismantling process in Cuba, one of the President's terms to which Khrushchev had agreed, but which Castro rejected. According to Mikoyan's account, he was the one who "proposed to Moscow instead that the Americans observe the evacuation of the missiles from the air and, if necessary, might inspect Soviet ships on the high seas." They were inspected from the air, the tarpaulins covering them pulled back by the Soviet sailors on ships taking them home.

"After dinner," recounts Radvanyi, "Mikoyan continued his briefing by explaining that the Cuban situation had been complicated by the continual advice which Castro had received from the Chinese. Peking, according to Mikoyan, had sent tons of propaganda material, and Mao Tse-tung had transmitted to Havana one message after another assuring the Cubans that the eight hundred million Chinese stood firmly behind them and that the Americans were paper tigers. Mikoyan reported that while the Chinese had done nothing to help defend Castro, they had refrained from shelling Quemoy and Matsu during the days of the crisis. Mikoyan noted ironically that they might easily have stepped up pressure against Taiwan which—with the Americans involved in the Caribbean—could have changed the whole situation . . ."

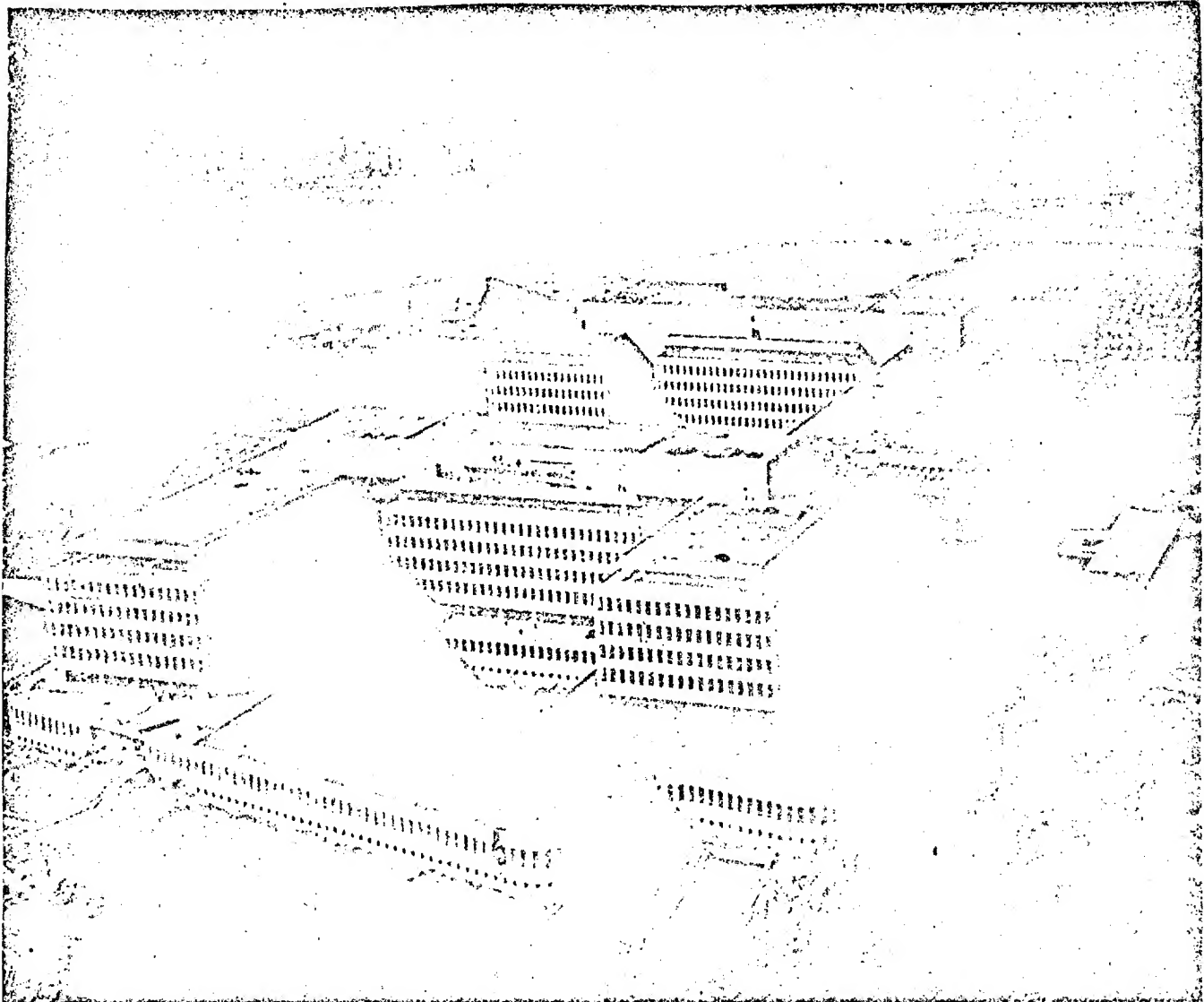
In defense against the Peking charges, hurled by now at Moscow, of "adventurism" in deploying the missiles and "capitulationism" for taking them out, "Mikoyan offered two explanations for the Soviet action. The missile deployment in the Caribbean, he said, was aimed at defending Castro on the one hand and, on the other, at achieving a definite shift in the power relationship between the socialist and the capitalist worlds. After evaluating the strong American reaction during the crisis, however, the Presidium had decided against risking the security of the Soviet Union and its allies for the sake of Cuba."

This account squares with Khrushchev's in "Khrushchev Remembers." There the Soviet leader contended that while the "main thing" was to defend Cuba, "in addition" "our missiles would have equalized what the West likes to call the 'balance of power.'"

crisis relying on published material, an author accepts as "the most satisfactory explanation" of the Soviet move the effort to end the Soviet "missile gap" then existing. The missiles in Cuba "amounted to a doubling of Soviet first-strike capabilities."

Two other points made by Allison struck me. He concludes that the American warnings against installation of the missiles may not have seemed all that strong to Moscow and hence the Soviets went on. He notes that on Oct. 14 McGeorge Bundy, Mr Kennedy's assistant for national security, said publicly that he knew there was "no present evidence, and I think there is no present likelihood" of "a major offensive capability" being installed in Cuba. Yet on Sept. 28 the United States had taken pictures that Bundy knew about of crates on the decks of Soviet ships in route to Cuba crates similar to those used to send IL-28 light bombers to Egypt and Indonesia. So Allison says that "the conclusion that the administration had discovered a way to tolerate one type of offensive weapon in Cuba is unavoidable."

Second, Allison concludes from Robert Kennedy's account, published in 1969, that what he told Dobrynin just before Khrushchev agreed to pull out the missiles amounted to offering a private deal: to go secretly what the President refused to do publicly, pull American missiles out of Turkey in exchange for Soviet missiles out of Cuba. In RFK's account he said he told Dobrynin that "there could be no quid pro quo or any arrangement made under this kind of threat or pressure" but that he also told Dobrynin that "President Kennedy had been anxious to remove those missiles from Turkey and Italy for a long period of time. He had ordered their removal some time ago, and it was our judgment that, within a short time after the crisis was over, those missiles would be gone." After the crisis abated they were withdrawn.



CIA Headquarters in Virginia

Back yard CIA

The Central Intelligence Agency always insists its men aren't involved in domestic police work. But in Chicago CIA agents have been working with the FBI and Treasury men in an effort to pin the bank bombings on radical groups.

Heretofore, clandestine CIA police work within the US was centered around counter espionage efforts aimed at the

Soviet KGB. CIA maintains secret bases in all major US cities. The agency also has training camps in Virginia and the Carolinas. These are masked as regular military bases. Spooks are trained for duty at Williamsburg, Va.

Two years ago CIA employees were surprised when members of the Chicago police force were given special treatment at Langley, Va., headquarters

They met there with Helms, were shown around, and taken to the secret training camps. That was the beginning of rumors within the agency that the CIA had been given the go ahead to move into domestic police operations. While everyone denied it, the theory was that the CIA was told to get the radicals.

Two recent personnel changes increased speculation. One involved resignation of Helms' special assistant, Robert Kiley. Kiley handled the student operations through National Student Association facades. He recently turned up as associate director of the Police Foundation, a new group launched with a \$30 million Ford Foundation grant. The money is meant to be used to improve local police. The second personnel shift involved Drexel Godfrey, who was head of the CIA's Office of Current Intelligence. He quit this high ranking job, turned up in the narcotics bureau of the Justice Commission at Harrisburg, Pa. The commission is another new

police. Both personnel shifts are cited by agency people to bolstering fronts in the US, this time, moving into was given a new title recently, making him head of all intelligence and presumably providing him with a legitimate interest in internal police operations. But such suggestions are bitterly denied all around.

CASE FILE (DESCRIPTION)

INSTRUCTIONS

HS/HC-950

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THE EVENING STAR

Washington, D. C., Friday, January 7, 1972

Disclosures Reported Pleasing Keating

By SYDNEY H. SCHANBERG
New York Times News Service

NEW DELHI — Sources close to Ambassador Kenneth B. Keating indicate that he was not unhappy about the disclosure of his secret cablegram to Washington taking issue with American policy on the Indian-Pakistani war.

Asked yesterday to comment on his policy views and on last month's cablegram, which was divulged in Washington by columnist Jack Anderson, Keating would say only: "This is a matter I cannot discuss."

It is known in New Delhi, however, that from the time Pakistani troops in East Pakistan moved to crush the Bengali secession movement there last March, Keating campaigned privately against the Nixon administration's pro-Pakistani stand. He even did so publicly until he was silenced by Washington in April.

Posture Correct

In recent months, Keating's official posture has been rigidly correct. He has refused to discuss his views with reporters, even in private. In his regular columns in a U.S. Information Service fortnightly newspaper that is widely distributed in India, he has consistently defended the administration policy. He has been criticized for doing so in the Indian press and elsewhere.

From the beginning of the India - Pakistan crisis, which culminated in India's victorious support of the East Pakistan separatists, the American ambassador's cables to Washington have argued strongly for a different American policy. He pressed for a policy that would be based on what he views as the moral and political "realities" on the subcontinent.

Only a few days after the Pakistani crackdown in East Pakistan began, he sent a cable containing more than a hint of outrage. In it he referred to the killings of Bengalis as "selective genocide" and urged Washington to come down hard on the Pakistani military regime. The word "massacre" was also used.

Reportedly Rebuked

After an April 15 news conference in Bombay at which he differed with the administration's contention that the events in East Pakistan were an "internal affair," he was reported to have been rebuked by Washington and told to confine his public remarks to support the administration position.

"The phrase 'internal affair' should not be overdone," he said at the news conference. He added that the meaning of the phrase was "limited to the geographical fact that all of this is taking place in what is now Pakistan."

The Pakistan government is understood to have filed a protest with Washington about his remarks.

Keating continued to press his argument in his cable-

grams to Washington. His view all along, according to confidants, was that Pakistan was an unstable, crumbling military dictatorship; that India was not only an increasingly stable democracy but also the dominant power on the subcontinent; and that East Pakistan seemed certain to emerge as an independent state. The Bengali separatists

have proclaimed the establishment of Bangladesh.

The ambassador argued that the morality of the situation, a reference to "genocide," as well as the political realities should lead the United States to lean toward India rather than Pakistan.

By his determined dissent, Keating, a former Republican senator from New York who is

a political appointee of President Nixon and a former law partner of Secretary of State William P. Rogers, may have caused these two men considerable anguish and irritation over the last 10 months, but his arguments have had little obvious effect.

There have been periodic press reports that Keating has threatened to resign.

ITT Memos Bare Anti-Allende Plotting

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By William Greider
Washington Post Staff Writer

U.S. interests promoted—and then apparently backed away from—plans for a right-wing military coup in Chile two years ago to prevent the election of Marxist Salvador Allende as president, according to internal memoranda of ITT, the giant international conglomerate.

The U.S. government, according to the ITT papers, first gave a "green light" to the U.S. ambassador in Santiago—"maximum authority to do all possible, short of a Dominican Republic type action, to keep Allende from taking power."

The U.S. government also promised, according to the ITT documents, to selected Chilean military leaders "full material and financial assistance by the U.S. military establishment" if civil war erupted—even though Ambassador Edward Korry characterized Chile's armed forces as "a bunch of toy soldiers."

At one point, according to the documents, ITT informed the U.S. government that it would volunteer funds in "seven figures," \$1 million or more, to aid in some unspecified way the efforts to keep Allende out of power.

Finally, the ITT documents state that in mid-October of 1970—a week before Allende would be elected—a right-wing ex-general named Roberto Videla, who had been a "gun ho" by the ITT operatives in Chile, was advised to hold off.

"It is a fact," said an Oct. 16 message from Latin America to corporate headquarters in New York, "that word was passed to Viaux from Washington to hold back last week. It was felt that he was not adequately prepared, his timing was off, and he should 'cool it' for a later, unspecified date. Emissaries pointed out to him that, if he moved prematurely and lost, his defeat would be tantamount to a 'Bay of Pigs in Chile.'"

"As part of the persuasion to delay, Viaux was given oral assurances he would receive material assistance and support from the U.S. and others for a later maneuver. It must be noted that friends of Viaux subsequently reported Viaux was inclined to be a bit skeptical about only oral assurances."

These and many other less sensational glimpses into U.S. government and corporate maneuvering in Chile are drawn from a new batch of secret documents from ITT's files, obtained by columnist Jack Anderson and made available yesterday to The Washington Post.

The copies of 26 memos, messages and staff reports hint at many questions which are left unanswered—What role did the Central Intelligence Agency play? How seriously was the military plot entertained? How deeply was ITT involved?

Yesterday, the White House, State Department and CIA all refused to comment.

In New York, a spokesman

for ITT said Anderson's first column Tuesday on the Chilean episode, alleging a CIA-ITT plot to provoke economic chaos in the Latin American country, was "without foundation in fact."

Former Gen. Viaux is now in jail in Chile, charged with mutiny against the government, in connection with the preelection assassination of Gen. Rene Schneider, commander of the Army. That attack was generally regarded as an unsuccessful attempt to stir right-wing resentment and possibly to touch off a military takeover. The ITT documents mention the incident and Viaux's arrest, but do not say anything to indicate that the shooting was inspired by U.S. interests.

ITT, which had more than \$150 million invested in Chile, has since lost its major capital, an 80 per cent interest in the Chile Telephone Company, and is negotiating with Allende's government over compensation for its loss. ITT continues to operate two Sheraton hotels and a telecommunications factory there.

Taken as a whole, the ITT messages from Latin American agents to Washington and New York suggest a picture of frantic, sometimes bitter, sometimes contradictory communications within the corporation, trying to find something that would keep the Chilean congress from certifying

Allende's election. The memos are most of the same ones that have figured in the ITT anti-

trust episode—President Harold Geneen, Washington office vice president W. R. Merriam, public relations vice president E. J. Gerrity and others.

In some memos, the ITT executives reported a plan for stimulating economic chaos—which might in turn, have provoked a military coup. But it is not clear that the corporation embraced the idea fully and acted upon it. The Washington officers attributed it to a "Mr. Broe" or a representative from "the McLean agency," references to the CIA and to William Broe, CIA director in Latin America, according to columnist Anderson.

Gerrity, for example, reported in one memorandum his skepticism: "Realistically, I do not see how we can induce others involved to follow the plan suggested. We can contact key companies for their reactions and make suggestions in the hope that they might cooperate. Information we received today from other sources indicates that there is a growing economic crisis in any case."

At another point, Gerrity related that Geneen, the board chairman and president, regarded the plan as "unworkable."

As Allende's election drew near without any "crisis" to prevent it, the ITT memos turned sour and pessimistic in tone, blaming the State Department for not taking a harder line, planning to lobby Congress and the White House for a stiffer U.S. policy.

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The White House Brief on South Asia

The White House, with an assist from Senator Goldwater, has now revealed publicly what the United States did privately over the last eight months to ease the South Asia crisis. A "background" news conference with Dr. Henry Kissinger on Tuesday, which the senator was good enough to put into the Congressional Record on Thursday, establishes that in fact American officials did work to induce political compromise in Pakistan and military restraint in India. The record is at once so important and judgmental that it needs to be inspected in detail.

That its dress, including pressure from Washington, was affecting Pakistan is plain. As the White House noted, Islamabad replaced the cruel military governor in the East, allowed relief to be internationalized, offered formal amnesty to refugees who might choose to return, and had agreed to restore a facade of civilian rule this month. President Yahya Khan had agreed to talk to Calcutta representatives of Bangla Desh, the Bangladeshi nation proclaimed in former East Pakistan, though not to Sheikh Mujibur Rahman or his nominees—"Mujib," the acknowledged and elected Bangladeshi leader, is the Pakistanis' prisoner on trial for treason. Islamabad was reported ready to grant the East autonomy in everything but foreign policy, defense and currency. Further Pakistani concessions were expected in the week of Nov. 22.

The Indians, according to the White House, knew all this. They also knew Islamabad had offered to let Americans communicate with Mujib through his lawyer. On Nov. 19 they were told the U.S. was prepared to discuss with Islamabad a timetable for establishing autonomy in East Bangla. But without waiting, without giving word of its own military timetable, India struck on Nov. 22. The White House conclusion: peaceful means had been exhausted; recourse to arms was accordingly unjustified.

The question, of course, is whether Delhi moved because it was sure American diplomacy would fail to produce a Bangla Desh state independent of Pakistan, India's goal; or whether Delhi moved out of fear that the Americans would do this and thus deprive it of a long-sought chance to bash the Paks.

The answer, we submit, must take into account the constantly reiterated Indian position that negotiations had to begin with Mujib. Whether or not it figured realistically that otherwise negotiations would be meaningless, or whether it calculated

sympathically that President Yahya could not stomach the course, does not alter the uncontestable fact that the Americans knew from the start this was the Delhi position. By Nov. 19, or by Nov. 22, President Yahya had talked with no Bengalis. He had ruled out Mujib and Mujib's choices. He had said the autonomy he would grant would not cover foreign affairs, defense and currency—dominant features of any country's public life. Eight months had passed. Refugees were continuing to pour in. Press reports of India's growing impatience were rampant. And presumably Washington was not altogether dependent on India's formal statements to learn the status of its preparations for open war.

Knowing now what the administration kept secret before, we are not so inclined to criticize the administration for its attitude as for its judgment. Through eight months of gathering misery and tension it stuck in a public posture of support for Pakistan on the ostensible grounds that it could apply more effective leverage. At the end, it had only persuaded Pakistan to promise talks—not yet to begin them—for a limited purpose with Bengalis whom the Indians regarded as stooges. And on this basis it expected India to hold still.

The Indians have been tough and irresponsible; they have encouraged and incited taken part in the dismemberment of a sovereign state. But could the war have been avoided if, early on, Washington had openly and entirely withdrawn support from Pakistan and encouraged and incited taken part in the dismemberment of a sovereign state. But could the war have been avoided if, early on, Washington had openly and entirely withdrawn support from Pakistan and encouraged and incited taken part in the dismemberment of a sovereign state.

We note that, contrary to the accounts, evidence is lacking that the White House and State Department have different views on the crisis. The Department on Dec. 4 had cited India as the aggressor. But the White House did not really shy away from this indictment as some reports made it seem; rather, it reinforced the indictment by offering a diplomatic record intended to show what peaceful possibilities the Indians had preempted. In noting that the first charge of aggression came out of fear that the Americans would do this—the briefing transcript makes clear—was trying to rebut other charges that American favor for Pakistan had flown from the personal preferences of the President. In short, there are other places—and aspects other than the White House—where the White House and State—at which to look for the flaws and failure of American policy.

Around Town

Teachers College at 120

With a fascinating past and great promise for the future, the District of Columbia Teachers College has had much to celebrate on the occasion of its 120th anniversary this month. It began with the opening of this distinctive community institution go back to the roots of racial segregation in the nation's capital, when the education of Negroes was anything but a priority item.

It was in this setting that Myrtilla Miner, a white woman from Madison County, N.Y., decided to open a school at 11th Street and New York Avenue NW, to prepare "colored girls to teach." By the 1870s, it had become the Miner Normal School, which, along with the Wilson Normal School, had developed from one-year institutions into schools offering three-year courses.

Rarely separated normal schools continued here until 1929, when Congress authorized the establishment of two teachers colleges—still segregated. It wasn't until 1955 that the two colleges merged into the Integrated D.C. Teachers College. Today, the college has an enrollment of more than 4,500 students and, under the presidency of Dr. Paul P. Cooke, is exploring new roles in the life of the community, as well as in the field of public higher education here. One current community activity, for example, is the Adult Courtesy Patrol, an organization of men and women who patrol 14th Street NW to provide better security for citizens; there is also a children and youth community recreation program, under which the college is providing its basketball courts, playground and gym for neighborhood activities; there is a pilot District police project, to work on police-community relations between some 800 police officers and the neighborhood they serve, as well as dozens of other student and faculty projects.

Above all, D.C. Teachers is on its way to becoming a general community college, with hopes of some day functioning as a vital part of a Federal City University concept. This plan envisions a network of branch colleges for junior college education, to supplement and feed the city's four-year liberal arts program and the Washington Technical Institute.

The college, which has been accredited for the next 10 years by the Middle States Association of College and Secondary Schools, has been a keystone of public higher education here, and merits renewed congressional and community support as it moves toward a greater role in the years ahead.

Face Smudging

Man is born to trouble; but Attorney Philip Hirschkopf who has rendered much service to civil liberty and public order in this community, seems to have had more than his fair share of it. Trouble began for him when he was appointed to defend the so-called "D.C. Nine"—an aggregation of Roman Catholic clergy and laymen charged with ransacking the Dow Chemical Co. Washington office in use of napalm in the Vietnam war. The trial before Federal District Court Judge John Pratt was a tumultuous one in which the judge and Mr. Hirschkopf collided constantly. At its conclusion Judge Pratt summarily found the defense attorney guilty of contempt; and on top of that filed charges against him before the court's committee on admissions and grievances.

The contempt conviction is still pending before the Court of Appeals. The Ethics Committee of the local bar association found no occasion for disciplinary action against Mr. Hirschkopf. But the court's committee on admissions and grievances recommended his disbarment. About six weeks ago

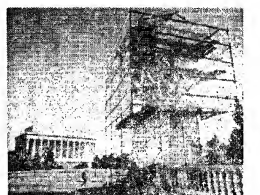
a three-judge panel of the court reviewing the case concluding acquiescing or suspending Mr. Hirschkopf but found that his defense of his clients "went far beyond the bounds of zealous representation." They censured the lawyer for "professional misconduct" but observed that this misconduct was "not intentional" and that "the respondent's behavior before the various courts in this area has been exemplary."

Mr. Hirschkopf hailed the news of this finding by saying that he did not believe the panel would have censured him at all except as "a face-saving device for Pratt." Whereupon, the members of the panel filed new charges against Mr. Hirschkopf with the grievance committee, accusing him of "knowingly making false accusations." Since when is a defendant forbidden to insist on his innocence? It is an absurdity to characterize this offhand remark made to a reporter as "false accusation" against a court. The action does nothing to save face for Judge Pratt. It serves only to muddle the face of the District Court.

Pop Sculpture

We are enchanted by the new abstract sculptures that flank Rock Creek Parkway and frame the Lincoln Memorial as you approach Memorial Bridge. For all the monuments and statuary in this city, there isn't much modern art in public places. (The David Smith sculpture on the Alexander Calder, Jose da Rivera and George Rickey among the Smithsonian's History and Technology museum are all we can think of, now that the Corcoran sold Barnett Newman's rust red, upside-down obelisk to Houghton.) The Constructivist, translucent cubes near the Lincoln Memorial, at any rate, seem truly inspired, a perfect expression of our time. They are in their utter simplicity, in keeping with the monumentality of the Lincoln Memorial. Yet, being translucent, they also blend quietly into the environment, merely marking a point in space, emphasizing the perspective on the Memorial, the traffic around it, the trees, the sky, the river, the infinity of the ecology. These perfectly welded plastic cubes on granite pedestals, moreover, are, like all true art, hauntingly mysterious. (What could be more mysterious than golden horses shimmering through plastic sheets?) They obviously symbolize the ultimate union of art and technology, with the former all wrapped up in the latter. What could be more metaphysical? And all of this is, of course, with it, it is relevant, it is up and it is pop. It's a happening.

But unluckily it will disappear in a few weeks, the Park Service tells us. The repair and reworking of the statues will be completed and the scaffolding will come down. We will again be treated to the familiar sight of the strutting statues representing peace—which were given to us by the Italian government in 1951.



The contingent of peace statues is still pending before the Court of Appeals.



Kissinger's 'Background' on the War in South Asia

FIRST OF ALL, let us get a number of things straight. There have been some comments that the administration is anti-Indian. It is totally inaccurate. India is a great country. It is the most populous free country. It is governed by democratic procedures.

Americans through all administrations in the postwar period have felt a commitment to the progress and development of India, and the American people have contributed to this to the extent of \$10 billion. Last year, in this administration, India received from all sources \$12 billion for development assistance, economic assistance, of which \$700 million came from the United States in various forms. Therefore, we have a commitment to the progress and to the future of India, and we have always recognized that the success of India, and the Indian democratic experiment, would be of profound significance to many of the countries in the underdeveloped world.

Therefore, when we have differed with India as we have in recent weeks, we do so with great sadness and with great disappointment.

Now let me describe the situation as we sit going back to March 23, March 23 is of course, the day that the Government of Pakistan decided to establish military rule in East Bengal and started the process which has led to the present situation. The United States has never supported

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"A spokesman," "high officials," "informed sources"—these are the players in a game called "for background only" which government officials play with newsmen and which everybody but the reader wins: the newsmen get a story and government officials can speak candidly, or self-servingly, without taking official responsibility for what they say.

Last week, however, the reader won one when Senator Goldwater put into the Congressional Record the transcript of a White House "background" with the press and thereby gave away the identity of the source: Dr. Henry Kissinger. The result, excerpts of which are printed here, offers a revealing glimpse of what the White House thinks—or wants everybody to believe it thinks—about the origins and causes of the India-Pakistan war.

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Indians Say China May Aid Evacuation of Pakistanis

DELHI, From A1

Indian alarm at this new development was reflected today in new rounds of urgent talks between top officials in both New Delhi and Moscow.

According to the information gathered by Indian intelligence sources, the Chinese-Pakistan plan is for the boats, believed to be a motley assembly of merchant ships, barges and other craft, to sail out under the Chinese flag when they are fully loaded with escaping soldiers.

The Indian eastern naval command, which is in the Bay of Bengal not far off the coast, has given a warning that all ships in the area will be subject to interception. India has also warned repeatedly that boats attempting to take escaping troops back to West Pakistan will be attacked and sunk.

Indian naval and air units have already attacked several small craft taking off from East Pakistan toward Burma. They were spotted hugging the coast in a bid to escape.

India's chief spokesman tonight would not disclose any details of discussions believed already to have taken place with the Hanoi government about any Pakistani soldiers who manage to make their way in Burma.

If the Indians carry out their threat and attack ostensibly Chinese vessels, this would clearly raise the risk that China would retaliate by attacking India as having made a direct attack on her.

The Indian concern has been made apparent by the frequent radio messages beamed to Pakistan soldiers in East Pakistan by Gen. Sam Manekshaw, Indian commander-in-chief, urging them to surrender. These were sent all through yesterday afternoon and again today at five-minute intervals.



Patricia Pohlhammer, 18, of Beloit, Kan., greets a friend Sunday night in a Singapore hotel lobby after arriving on one of three evacuation flights from Dacca.

vals on a variety of wavelengths.

Another factor in the situation is the almost certain presence in the Bay of Bengal of Chinese submarines. The U.S. 7th Fleet is also believed to be within easy reach of the area.

With fighting apparently stalemated for the present on the western front, the possibility of Chinese intervention could take the conflict to a potentially dangerous new stage.

India has reckoned it unlikely that the Chinese would give Pakistan anything stronger than verbal support.

Despite Moscow's concern over China's link with the Pakistan military regime, the Russians are likely to discourage the Indians from attacking the Indians from stacking any escaping boats flying the Chinese flag even if the price is that a division or more of soldiers are

home to fight India again on the western front.

The Russians are believed to be anxious to bring the war to an end as soon as possible after the establishment of a stable government in East Pakistan and have sought to be a strong modern influence on New Delhi.

In addition to possible Chinese involvement, Indian sources have charged the United States with supplying military equipment either directly or indirectly through an Asian ally, perhaps Turkey, to Pakistan.

The foreign ministry spokesman said last night: "Some foreign aircraft have landed military stores at Karachi civil airport. The government of India is obliged to reserve the right to secure that civil airports are not used for such military purposes."

The spokesman refused to identify the nationality of the foreign aircraft but made it plain that he was referring to the U.S.

Ulster Gunmen Kill Senator, Blast His House

BELFAST, Northern Ireland, Dec. 12 (AP)—Gunmen shot a hardline Protestant Senator tonight, then wrecked his country mansion with a bomb. His body was buried under tons of rubble.

Sen. John Burnhill, a right-wing member of the Protestant-based Unionist Party that rules the British province, was the first member of the Northern Ireland Parliament to die in two years of violence that has now resulted in 196 deaths.

His wife said he went to answer the door at their home at Strabane, close to the border with the Irish Republic.

She said she heard two shots and found her husband lying near the door with a gunman kneeling at his side. Then a second man helped drag him into the main room, where the attackers planted a gelignite bomb beside his body, she said.

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lb. **98¢**

SAUSAGE MEAT
Grand Union lb. **55¢**

SPARERIBS
Country Style lb. **59¢**

SAUERKRAUT
Grand Union 2-lb. bag **39¢**

APPLE
SAUCE
1 lb. 9 oz. jar **31¢**

FRUIT
COCKTAIL
1 lb. 14 oz. can **39¢**

Reckon
LEMON
JUICE
quart bottle **59¢**
Grand Union Frozen
ORANGE
JUICE **49¢**

Ocean Spray
CRANBERRY
SAUCE
1 lb. can **27¢**

STYLE HAIR SPRAY
Regular, Super, Unscented
13-oz. can **69¢**

Shampoo
Cutex
Polish Remover
PATIO FROZEN DINNERS
Beef Tacos 11 oz. 79¢
Mexican Dinner 11 oz. 33¢
Beef Enchilada Dinner 11 oz. 65¢
Cheese Enchilada Dinner 11 oz. 65¢
Tortillas 11 oz. 29¢

GOLD MEDAL FLOUR
All Purpose
5-lb. bag **59¢**

HAI KARATE
After Shave Lotion
4-oz. bottle **133¢**

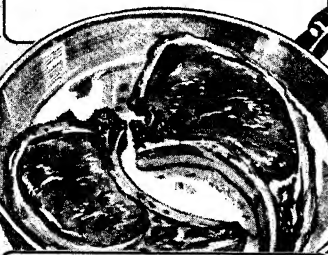
HECKMAN
PICKLES
Sweet Pickle Gherkins 11 oz. 39¢
Sweet Pickle Relish 11 oz. 39¢
Sweet Cauliflower 11 oz. 45¢
Cocktail Onions 11 oz. 49¢
Cheese & Cracker Sweet Chips 11 oz. 61¢

BINACA BREATH SPRAY
1/2 oz. **109¢**

FOAMY FACE SAVER
7-oz. can **87¢**

HANOVER FROZEN
Hash Brown Potatoes 11 oz. 23¢
Julienne Potatoes 11 oz. 23¢

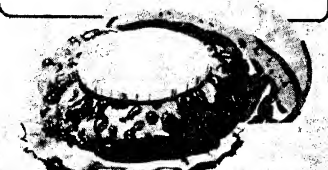
NOXZEMA SHAVE CREAM
Regular, Lime 11-oz. can **109¢**



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20 to 24 lbs. **35¢** lb. **43¢**
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5 for **59¢**

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1-lb. can **79¢**

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Creamed or Whole Kernel, 1-lb. can
GOLDEN CORN
Fancy
GREEN BEANS
Fancy
SWEET PEAS
2 / 39¢

BIRDS EYE
GREEN PEAS
10 oz. pkgs. **100¢**

Grand Union
**TOMATO
JUICE**
quart 14-oz. can **37¢**

FROZEN FOODS
MIXED FRUIT 47¢
STRAWBERRIES 39¢
JOHN'S PIZZA 89¢

GERBER BABY FOODS
Strained 6 oz. 79¢
Jules 6 oz. 79¢
Junior 6 oz. 79¢
Cereal 8 oz. 21¢

IMPERIAL MARGARINE
Stick pkg. **49¢**
CHEESE SPREAD
Chef Delight 2-lb. Processed loaf **79¢**

PEPSODENT
TOOTHPASTE
With Bc Off Label
5-oz. tube **61¢**

WHIPPED MARGARINE
Mrs. Filbert's pkg. **41¢**

EFFERDENT
Denture pkg. Cleanser of 60 **129¢**

WOOLITE POWDER
6-lb. bag **79¢**

HOWARD JOHNSON
Frozen Shrimp or Chicken Croquettes pkg. **75¢**

BRECK BASIC
Toothpaste
9-oz. bottle **151¢**

Evening Star 7 July 71

CIA Policy Shifts Urged By Cooper, McGovern

By JAMES DOYLE
Star Staff Writer

Republican Sen. John Sherman Cooper of Kentucky, senior member of the Foreign Relations Committee, submitted legislation today which would make available to Congress all the intelligence information and analyses developed by the Central Intelligence Agency and similar government agencies.

Cooper proposed an amendment to the National Security Act of 1947 which would require that the CIA make its intelligence discoveries and conclusions available to the committees on Armed Services and Foreign Relations in both branches.

He said that as the law now says the information is only available to the executive branch.

In a related move, Sen. George McGovern, D-S.D., proposed that the CIA expenditures each year be listed as an overall total in the national budget.

McGovern's amendment also would prohibit use of CIA funds by other departments and agencies.

The South Dakota Senator said he recognized that security limitations would prevent a full disclosure of all CIA funding, but said a single line item in the budget would "put the Congress in a position to judge if we wanted to spend more on intelligence operations and clandestine wars than on improvement of the environment or on education or even on other aspects of national defense."

Cooper said his bill "would not, in any way, affect the activities of the CIA, its sources or methods."

But he said it would put Congress "in a much better position to make judgments, much more informed and broader perspective than is now possible."

CIA expenditures are overseen by a select subcommittee of the Armed Services Committee. All of its deliberations and decisions are kept secret.

Funds for the CIA are then hidden away in other money bills.

Cooper said his bill would not affect the method of congressional oversight.

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Secret U.S. Papers Bared

By Sanford J. Ungar
Washington Post Staff Writer

Syndicated columnist Jack Anderson, in a major challenge to the secrecy surrounding U.S. policy in the Indo-Pakistani war, last night gave The Washington Post the full texts of three secret documents describing meetings of the National Security Council's Washington Special Action Group (WSAG).

The documents indicate that Henry A. Kissinger, President Nixon's national security adviser, instructed government agencies to take a hard line with India in public statements and private actions during last month's war on the Indian subcontinent.

Anderson released the documents after Kissinger told reporters Monday during an airborne conversation en route to the Western White House in San Clemente that the columnist, in stories based on the materials, had taken "out of context" reports of statements from the administration was against India.

Among the significant statements bearing

on U.S. policy in the documents were the following:

- "KISSINGER: I am getting hell every half hour from the President that we are not being tough enough on India. He has just called me again. He does not believe we are carrying out his wishes. He wants to tilt in favor of Pakistan. He feels everything we do comes out otherwise."

- "Dr. Kissinger said that whoever was putting out background information relative to the current situation is provoking presidential wrath. The President is under the 'illusion' that he is giving instructions; not that he is merely being kept apprised of affairs as they progress. Dr. Kissinger asked that this be kept in mind."

- "Dr. Kissinger also directed that henceforth we show a certain coolness to the Indians; the Indian Ambassador is not to be treated as of high priority."

Dr. Kissinger . . . asked whether we have the right to authorize Jordan or Saudi

Arabia to transfer military equipment to Pakistan. Mr. (Christopher) Van Hollen (deputy assistant secretary of state for South Asian affairs) stated the United States cannot permit a third country to transfer arms which we have provided them when we, ourselves, do not authorize sale direct to the ultimate recipient, such as Pakistan."

- "Mr. (Joseph) Sisco (assistant secretary of state for Near Eastern and South Asian affairs) suggested that what we are really interested in are what supplies and equipment could be made available, and the modes of delivery of this equipment. He stated from a political point of view our efforts would have to be directed at keeping the Indians from 'extinguishing' West Pakistan."

- "Mr. Sisco went on to say that as the Paks increasingly feel the heat we will be getting emergency requests from them . . . Dr. Kissinger said that the President may

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A9, Col. 1

Texts of documents. Page A8

Columnist Bares Secret U.S. Papers

DOCUMENTS, From A1

want to honor those requests. The matter has not been brought to Presidential attention but it is quite obvious that the President is not inclined to let the Paks be defeated."

After getting the documents from Anderson, The Post decided to print the full texts in today's editions.

Anderson said he would make the documents available to other members of the press today, and he invited Sen. J. W. Fulbright, chairman of the Senate Foreign Relations Committee, to use them as the basis for an investigation of U.S. policy in South Asia.

Fulbright, out of Washington during the congressional recess, could not be reached for comment.

The columnist also suggested that other members of Congress might wish to investigate government security classification policy.

Most of the significant statements in the three documents released last night had already appeared in Anderson's column, which is distributed to 700 newspapers, including The Washington Post.

The Justice Department acknowledged yesterday that the FBI is investigating the nature of the security leak that led to the disclosures.

But Anderson, who said he will write several more columns based on the documents, pointed out that no government agent had visited him and that he had received no request to halt publication. The Post has not received any such request either.

Pentagon sources said another investigation is underway by military security agents. They said the scope of their investigation would be narrow because "very few people" have access to minutes of the meetings.

Anderson, in an interview with The Post, said he also had copies of cables to Washington from the U.S. ambassadors to India and Pakistan, as well as numerous other documents bearing on American policy.

He showed this reporter a briefcase with about 20 file folders, each containing some of the documents.

Anderson declined to name his sources, but suggested that they occupy high positions in the Nixon administration.

"If the sources were identified," he said "it would harass the administration more than it would me. It



HENRY A. KISSINGER
... coolness to India



JACK ANDERSON
... releases documents

would make a very funny story."

Since the controversy last year over release of the Pentagon Papers, a top-secret history of U.S. policy in Vietnam, Anderson said, his sources had become more, rather than less, willing to disclose classified material.

The texts obtained by The Post provide substantial details of the back-and-forth at Special Action Group meetings among representatives of the White House, State and Defense departments, Central Intelligence Agency, National Security Council, Joint Chiefs of Staff and the Agency for International Development.

The three texts are:

- A "memorandum for record" about a WSAG meeting in the Situation Room of the White House on Dec. 3, by James H. Noyes, deputy assistant secretary of defense for Near Eastern, African and South Asian affairs. It was approved by G. Warren Nutter, assistant secretary of defense for international security affairs, and was printed on his stationery.

- A memorandum for the Joint Chiefs of Staff, on their stationery, concerning a meeting on Dec. 4, by Navy Capt. Howard N. Kay, a JCS staffer.

- Another memorandum by Kay on JCS stationery about a meeting on Dec. 6.

The first of the three meetings was held on the opening day of full-scale hostilities between India and Pakistan.

That was the day Pakistani aircraft launched a series of strikes against Indian airfields on the western border.

Indian Prime Minister Indira Gandhi said her country to be on a "war footing."

By the time of the second meeting, the war had spread through East and West Pakistan; by the third meeting, Mrs. Gandhi had announced India's recognition of Bangladesh, formerly East Pakistan, as a sovereign country.

The Post obtained typewritten copies of photocopies of the documents in Anderson's possession.

Anderson's copies, which were inspected by a representative of The Post, showed that the original documents were stamped "SECRET SENSITIVE" at the top and bottom of each page.

Anderson said he hoped his columns on the Indo-Pakistani situation, and now the release of the documents, would provoke a "showdown" on the government classification system.

He said he had been "timid" originally about quoting from the documents, but later quoted more extensively when he became convinced of the "colossal blunders" of U.S. policy.

Invoking his own view of what might harm national security, he said he would not release the exact texts of cables, "just in case they would be useful to cryptographers."

Anderson said the documents should not have been classified in the first place. He said they showed that "Kissinger is surrounded by secrecy. He is treated like a new weapons system."

The Anderson documents differ from the Pentagon Papers in that his disclosures cover current diplomatic activities, rather than history.

Anderson said the documents are printed articles based on the 47-volume Pentagon Papers

ever had possession of the four volumes described by the government as the most sensitive. Those volumes dealt with U.S. diplomatic contacts through other nations for a negotiated settlement of the Vietnam war.

After government suits against The New York Times, The Washington Post and other newspaper had worked their way through the federal courts, the Supreme Court declared on June 30 that the government had not proved its contention that publication would endanger national security.

In releasing the documents last night, Anderson said "I don't think the public should have to take either my word or Dr. Kissinger's" about whether his columns had quoted the documents "out of context."

"I invite reporters to compare Dr. Kissinger's statements at the secret strategy sessions with the transcript of Dr. Kissinger's background briefing to reporters on Dec. 7."

That "background" talk became public when Sen. Barry Goldwater (R-Ariz.) placed it in the Congressional Record, to the surprise of the White House.

In the meeting with news men on Dec. 7, Kissinger said, "First of all, let us get a number of things straight. There have been some comments that the administration is anti-Indian. This is totally inaccurate."

Kissinger said, however, that the United States, "which in many respects has had a love affair with India, can only with enormous pain accept the fact that military action was taken in our view without adequate cause."

State Department officials denied yesterday that any investigation of the leak was underway there. Other sources at State said no one there had been required to undergo lie detector tests, as in some previous security investigations.

Anderson said, however, that his sources told him investigations were being conducted at State, Defense and the White House, reportedly under the coordination of Robert C. Mardian, assistant attorney general in charge of the Justice Department's Internal Security Division.

A Justice Department spokesman said last night, however, that "assistant attorney generals don't coordinate investigations." If any prosecution were initiated, he added, that might fall into "Mardian's bailiwick."

"If Mardian's investigating me," said Anderson, who took over the "Washington Merry-Go-Round" column from the late Drew Pearson, "I'm going to investigate him."

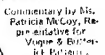
"I have an idea I'll know more about him than he'll know about me," Anderson added. "He can take his to a grand jury, and I'll take mine to the public."

dicted that Southerners will not "throw their vote away" by casting ballots for Alabama Gov. George C. Wallace. Wallace has indicated he will enter the Florida primary and observers there believe he would run strong in the northern congressional districts that Jackson hopes to carry.

backers, who have been organizing for the fight since early last year, said the petitioners had about 2,000 signatures to place this name on signatures.

Muskie is scheduled to file his case on Thursday, Sen. Vance said. He said the case would be filed in the U.S. District Court in Miami and Los Angeles. Vance said that supporters are to land.

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